

AGENDA

General Policy Committee Meeting

May 8, 2013

9:00 a.m.

Location

SANBAG

Super Chief Conference Room
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA

General Policy Committee Membership

Chair – SANBAG Vice President

Council Member Mike Leonard
City of Hesperia

SANBAG President

Supervisor Janice Rutherford
County of San Bernardino

SANBAG Past President

Mayor Larry McCallon
City of Highland

Mt./Desert Representatives

Mayor Julie McIntyre (*Chair-MDC*)
City of Barstow

Council Member Jim Harris
City of Twentynine Palms

Supervisor Robert Lovingood
County of San Bernardino

East Valley Representatives

Mayor Patrick Morris (*Chair-CRTC*)
City of San Bernardino

Council Member Dick Riddell (*Chair-MVSS*)
City of Yucaipa

Supervisor James Ramos
County of San Bernardino

West Valley Representatives

Mayor L. Dennis Michael
City of Rancho Cucamonga

Vice Mayor Ed Graham
City of Chino Hills

Mayor Dennis Yates
City of Chino

Supervisor Gary Ovitt
County of San Bernardino

Ray Wolfe
Executive Director

Eileen Teichert
SANBAG Counsel

San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.

In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:

***The San Bernardino County Transportation Commission**, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

***The San Bernardino County Transportation Authority**, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

***The Service Authority for Freeway Emergencies**, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

***The Congestion Management Agency**, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

*As a **Subregional Planning Agency**, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
Service Authority for Freeway Emergencies
County Congestion Management Agency**

AGENDA

General Policy Committee Meeting

May 8, 2013

9:00 a.m.

Location: SANBAG, Super Chief Conference Room, 1170 W. 3rd Street, 2nd Floor, San Bernardino

CALL TO ORDER 9:00 a.m.
(Meeting chaired by Mike Leonard)

- I. Pledge of Allegiance
- II. Attendance
- III. Announcements
- IV. Agenda Notices/Modifications – Diane Greve

Notes/Actions

1. **Possible Conflict of Interest Issues for the General Policy Committee Meeting May 8, 2013** Pg. 8

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

Consent Calendar

Consent Calendar items shall be adopted by a single vote unless removed by member request.

Administrative Matters

2. **Attendance Register** Pg. 9

A quorum shall consist of a majority of the membership of each SANBAG Policy Committee, except that all County Representatives shall be counted as one for the purpose of establishing a quorum.

3. **April 2013 Procurement Report** Pg. 11

Receive April 2013 Procurement Report. **William Stawarski**

This item is not scheduled for review by any other policy committee or technical advisory committee.

Discussion Items

Project Delivery

4. Right-of-Way Signatory and Approval Authority Policy Pg. 16

That the Committee recommend the Board, acting as the San Bernardino County Transportation Commission:

Approve new Policy 34509 to establish right-of-way signatory and approval authority for the Measure I Program, Commuter Rail/Transit and non-Measure I funded projects.
Deborah Robertson and Paula Beauchamp

This item was reviewed by the Right-of-Way Ad hoc Committee on March 27, 2013. SANBAG General Counsel has reviewed this item and a draft of Policy 35409.

Administrative Matters

5. San Bernardino Associated Governments Fiscal Year 2013/2014 Proposed Budget Pg. 24

1. Conduct the Board of Directors Workshop for the proposed Fiscal Year 2013/2014 budget; and
2. Recommend approval of the proposed Fiscal Year 2013/2014 budget and appropriation and estimated revenue amendments in the background information with Attachments A and B. **William Stawarski**

All four (4) of the SANBAG policy committees have reviewed task descriptions and budgets for activities under their purview during the past month.

6. Change the SANBAG Friday Public Business Hours Pg. 33

That the Committee recommend the Board approve a change in public business hours on Fridays from 8:00 a.m. - 5:00 p.m. to 8:00 a.m. - 4:00 p.m. **Duane Baker**

This item is not scheduled for review by any other policy committee or technical advisory committee.

7. Replace SANBAG Owned Smartphones with a Communications Technology Stipend Pg. 35

That the Committee recommend the Board authorize the Executive Director to replace the issuance of SANBAG owned smartphones with a communications technology stipend not to exceed \$41.54/pay period (which is equivalent to \$90/month) and to be adjusted each year to reflect changes in the monthly cost of an unlimited talk, text and 1 gigabyte of data plan to essential staff approved by the Executive Director.
Duane Baker

This item is not scheduled for review by any other policy committee or technical advisory committee.

Discussion Items Continued**Administrative Matters Cont...****8. Lease of Unit No. 140 at the San Bernardino Santa Fe Depot Pg. 37**

That the Committee recommend the Board acting as the San Bernardino County Transportation Commission approve Lease Agreement C13126 with Southern California Association of Governments in the amount of \$101,232 for Unit No. 140, approximately 1800 square feet at the San Bernardino Santa Fe Depot. **Duane Baker**

This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG Contract Administrator has reviewed this item and a draft of the Contract.

Council of Governments**9. Legislative Update Pg. 58**

1. Receive Legislative Bill Matrix and adopt the following positions on State Legislation:
 - a. Support in Concept AB 268 (Holden, D-Pasadena)
 - b. Support AB 466 (Quirk-Silva, D-Fullerton)
 - c. Support AB 574 (Lowenthal, D-Long Beach)
2. Receive summary of California Air Resources Board (CARB) draft Cap and Trade Investment Plan
3. Receive Federal Update. **Wendy Strack**

This item is not scheduled for review by any other policy committee or technical advisory committee.

Air Quality/Traveler Services**10. Contract with the Riverside County Transportation Commission (RCTC) for the implementation of San Bernardino County Trip Reduction and 511 programs. Pg. 112**

The Committee Recommend the Board, acting as the San Bernardino County Transportation Commission, approve Contract No. C13143 with Riverside County Transportation Commission, effective from July 1, 2013, through June 30, 2014, in an amount not-to-exceed \$1,900,000. **Duane Baker**

This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Contract Administrator have reviewed this item and are assisting with negotiation of the contract.

Discussion Items Continued
Air Quality/Traveler Services Cont...

11. Award Contract for Call Box Maintenance Services Pg. 117

That the Committee recommend the Board of the San Bernardino County Service Authority for Freeway Emergencies:

Award Contract No. C13142, to CASE Systems, Inc., for call box maintenance services, for a three-year period, not-to-exceed \$1,895,620. Two one-year options are included in the contract as well and as outlined in the Financial Impact Section. **Duane Baker**

This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Contract Administrator have reviewed this item and a draft of the contract.

Regional/Subregional Planning

12. National Bike Month (May) and status report on SANBAG Active Transportation activities Pg. 136

That the Committee receive information on National Bike Month and a status report on SANBAG Active Transportation activities. **Josh Lee**

This item is not scheduled for review by any other policy committee or technical advisory committee.

Transit/Commuter Rail

13. Amendment No. 1 for Contract No. C11174 Valley Transportation Services Pg. 147

That the Committee recommend the Board approve Amendment No. 1 to Contract No. C11174 with Valley Transportation Services. **Monica M. Morales**

This item is not scheduled for review by any other technical advisory committee or policy committee. SANBAG General Counsel, Contract Administrator and Fund Administration have approved this item and the Amendment.

Comments from Committee Members

Brief Comments from Committee Members

Public Comment

Brief Comments by the General Public

ADJOURNMENT

Additional Information

Acronym List

Pg. 162

Complete packages of the SANBAG agenda are available for public review at the SANBAG offices. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Meeting Procedures and Rules of Conduct

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Agenda Actions – Items listed on both the “Consent Calendar” and “Items for Discussion” contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a “Request to Speak” form, provided at the rear of the meeting room, and present it to the Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under “Public Comment” may not be acted upon at that meeting. “Public Testimony on any Item” still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings
of
Board of Directors and Policy Committees**

Basic Agenda Item Discussion.

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

The Vote as specified in the SANBAG Bylaws.

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

Amendment or Substitute Motion.

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

Call for the Question.

- At times, a member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

The Chair.

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

Courtesy and Decorum.

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

Adopted By SANBAG Board of Directors January 2008



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 1

Date: May 8, 2013

Subject: Information Relative to Possible Conflict of Interest

Recommendation*: Note agenda items and contractors/subcontractors which may require member abstentions due to possible conflicts of interest.

Background: In accordance with California Government Code 84308, members of the Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Contractor/Agents	Subcontractors
11	C13142	CASE Systems, Inc. <i>Sebastian Gutierrez</i>	None
13	C11174-01	Valley Transportation Services <i>Beth Kranda</i>	None

Financial Impact: This item has no direct impact on the budget.

Reviewed By: This item is prepared monthly for review by the Board of Directors and Policy Committee members.

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Approved
General Policy Committee

Date: _____

Moved: _____ Second: _____

In Favor: _____ Opposed: _____ Abstained: _____

Witnessed: _____

COG	X	CTC	X	CTA	X	SAFE		CMA	
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Check all that apply.

GENERAL POLICY COMMITTEE ATTENDANCE RECORD – 2013

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Ed Graham City of Chino Hills	X	X	X	X								
Jim Harris City of Twentynine Palms	X	X	X	X								
Mike Leonard City of Hesperia	X	X	X	X								
Robert Lovingood Board of Supervisors		X	X									
Larry McCallon City of Highland	X		X	X								
Julie McIntyre City of Barstow		X	X	X								
L. Dennis Michael City of Rancho Cucamonga												
Patrick Morris City of San Bernardino	X	X	X	X								
Gary Ovitt Board of Supervisors	X	X	X	X								
Dick Riddell City of Yucaipa	X	X	X	X								
Janice Rutherford Board of Supervisors	X	X	X	X								
James Ramos Board of Supervisors	X	X	X	X								
Dennis Yates City of Chino	X	X	X	X								

X = Member attended meeting.

Empty box = Member did not attend meeting

Crossed out box = Not a member at the time.

*****GENERAL POLICY COMMITTEE ATTENDANCE RECORD – 2012**

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Rick Roelle Town of Apple Valley	X	X	X			X						
Julie McIntyre City of Barstow							X	X		X		
Bill Jahn City of Big Bear Lake		X										
Dennis Yates City of Chino	X		X	X	X							X
Mike Leonard City of Hesperia	X		X	X	X	X	X	X		X	X	X
Larry McCallon City of Highland	X	X	X	X	X	X		X	X		X	X
Rhodes Rigsby City of Loma Linda	X	X	X	X	X	X						
Ed Scott City of Rialto	X	X	X	X	X							
Ed Graham City of Chino Hills	X	X	X	X	X	X	X	X	X	X	X	X
L. Dennis Michael City of Rancho Cucamonga							X	X		X		X
Patrick Morris City of San Bernardino		X	X	X	X	X		X	X	X	X	
Jim Harris City of Twentynine Palms		X	X	X	X	X	X	X	X	X	X	X
Dick Riddell City of Yucaipa		X	X		X	X	X	X		X	X	
Janice Rutherford Board of Supervisors	X		X	X		X		X	X	X	X	X
Josie Gonzales Board of Supervisors	X	X	X	X	X	X						
Brad Mitzelfelt Board of Supervisors	X		X		X			X	X	X	X	
Robert Lovingood Board of Supervisors												X
Gary Ovitt Board of Supervisors	X	X	X	X		X	X	X	X	X	X	
Neil Derry Board of Supervisors	(Self-Suspension as of 5/3/11)	X	X				X	X				
James Ramos Board of Supervisors												X

X = Member attended meeting.

Empty box = Member did not attend meeting

Crossed out box = Not a member at the time.

***On October 3, 2012 the Board approved changing the name of the Administrative Committee to the General Policy Committee



- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 3

Date: May 8, 2013

Subject: April 2013 Procurement Report

Recommendation:* Receive April 2013 Procurement Report

Background: The Board of Directors adopted the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997, and approved the last revision on March 6, 2013. On February 6, 2013, the Board of Directors authorized the Executive Director, or designee, to approve: a) contracts and purchase orders up to \$100,000; b) amendments with a zero dollar value; c) amendments to exercise the option term if the option term was approved by the Board of Directors in the original contract; and d) amendments that cumulatively do not exceed 50% of the original contract value or \$100,000, whichever is less and to release Request For Proposal (RFP), Request For Quote (RFQ) and Invitation For Bid (IFB) for proposed contracts from which funding has been approved in San Bernardino Associated Governments (SANBAG's) Annual Budget, and which are estimated not-to-exceed \$1,000,000. SANBAG staff has compiled this report that summarizes all contract actions approved by the Executive Director, or designee.

On July 11, 2012, the Board of Directors authorized SANBAG's General Counsel to award and execute legal services contracts up to \$50,000 with outside counsel as needed on behalf of SANBAG and its authorities organized under the umbrella

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Approved
General Policy Committee

Date: _____

Moved: _____ Second: _____

In Favor: _____ Opposed: _____ Abstained: _____

Witnessed: _____

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply.

GP1305a-wws

Attachment:

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1305/AgendaItems/GPC1305a1-wws.docx>

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1305/AgendaItems/GPC1305a2-wws.docx>

of the Council of Governments. Also, periodically notify the Board after exercising such authority.

A list of all Contracts and Purchase Orders that were executed by the Executive Director and/or General Counsel during the month of April is presented herein as Attachment A, and all RFPs and IFBs are presented in Attachment B.

Financial Impact: This item imposes no impact on the Fiscal Year 2012/2013 budget. Presentation of the monthly procurement report demonstrates compliance with the Contracting and Procurement Policy (Policy No. 11000).

Reviewed By: This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff: William Stawarski, Chief Financial Officer

Attachment A
April 1-24 Contract/Purchase Order Actions

Contracts Executed:

Contract No.	Description of Specific Services	Vendor Name	Dollar Amount	Description of Overall Program
C13131	On-line legal research database	LexisNexis	\$19,764.00	Research tool for general legal requirements
			Total	\$19,764.00

Contract Amendments Executed:

Contract No. & Amendment No.	Reason for Amendment	Vendor Name	Dollar Amount of Amendment	Amended Contract Total
C13047 Amendment No. 1	Increase contract amount to fully cover I-10 Westbound Construction Project	Steve's Towing	\$94,815.00	\$386,375.00
C09179 Amendment No. 2	Increase amount will allow Advantec to deliver as-built drawings based on red-line drawings	Advantec Consulting Engineering	\$9,000.00	\$2,671,549.00
C10183 Amendment No. 1	Contract extension and amend billing rate schedule	Hernandez, Kroone and Associates	\$0.00	\$3,576,641.00
			Total	\$6,634,565.00

Attachment A

April 1-24 Contract/Purchase Order Actions

Purchase Orders:

PO No.	PO Issue Date	Vendor Name	Description of Services	Dollar Amount
4000916	02/27/13	BNSF Railway Company	Revised purchase order to provide flag protection for the Metrolink Eastern Maintenance Facility Expansion Project. Initial purchase order amount was for \$50,000. Due to result of unforeseen subsurface conditions; the cost of flagging has increased to \$100,000. Conditions included conflicts and relocation thereof a Sprint fiber optic line conflicting with shoring, subsurface debris causing additional drilling, and a perched water table causing over-sized drilling, slurry back-fill, and re-drilling.	\$100,000.00
4000988	03/29/13	COGENT Communications	Internet service provider – 12 months and base monthly fee.	\$17,824.00
4000990	04/15/13	Real Estate Consulting & Services, Inc.	Services to board up residential and commercial structures.	\$13,498.00
4000991	04/15/13	Willdan Engineering	Vendor is sole source from the City of San Bernardino's pre-approved outside plan check consultants. Willdan will perform plan check required for the San Bernardino Transit Center and also for the San Bernardino Passenger Rail Project.	\$28,050.00
4000989	04/08/13	Sigmanet, Inc.	Purchase Cisco network equipment to replace firewall thru Sigmanet to ensure internet performs well, is protected, and can handle additional bandwidth.	\$8,448.28
<p><i>*Note: Sole Source justification is noted in the Purpose statement, if applicable.</i></p>				Total
				\$167,820.28

Attachment B
April 1-24 RFPs and IFBs

Release of RFP's and IFB's

Release Date	RFP/IFB No.	Description of Services	Anticipated Dollar Amount	Anticipated Award Date	Description of Overall Program and Program Budget
04/08/2013	13074	Construction Management Services	\$225,500.00	July 3, 2013	Construction Management Services for the I-10 Riverside Ave Interchange Landscaping Maintenance Project.
				Total	\$225,500.00



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 4

Date: May 8, 2013

Subject: Right-of-Way Signatory and Approval Authority Policy

Recommendation:* That the Committee recommend the Board, acting as the San Bernardino County Transportation Commission:

Approve new Policy 34509 to establish right-of-way signatory and approval authority for the Measure I Program, Commuter Rail/Transit and non-Measure I funded projects.

Background: San Bernardino Associated Governments, acting in its capacity as the San Bernardino County Transportation Commission (SANBAG) is reviewing and updating several of the key internal policies and procedures by which it operates including those that pertain to rights-of-way. The current right-of-way policies and procedures which SANBAG uses are abbreviated and not comprehensive enough for SANBAG's expanding role in project delivery which includes right-of-way activities and eminent domain. With limited right-of-way policies and procedures in place, a lengthy and labor intensive effort by staff to produce agenda items and for committee and Board members to review, consider, and approve agenda items has developed. Given that Right of Way Certification is a requirement for requesting federal and state funding, the current elongated approval process added to an already lengthy process is always the last component of a project to be completed. Any slippage in the schedule could jeopardize any funds that are tied to a deadline requirement. The purpose of this

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Approved
 General Policy Committee

Date: _____

Moved: _____ Second: _____

In Favor: _____ Opposed: _____ Abstained: _____

Witnessed: _____

COG		CTC	X	CTA		SAFE		CMA	
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Check all that apply.

GPC1305b-pb

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1304/AgendaItems/GPC1304b1-pb.docx>

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1304/AgendaItems/GPC1304b2-pb.xlsx>

proposed policy is to establish a streamlined approval process for right-of-way related documents that is compliant with Federal and State statutes and regulations, in order to secure funding for delivery of projects into construction, and to relieve the Board, committees, and staff from the time consuming efforts involved in agenda item production and approvals.

Currently, the appropriate Board committee recommends and the Board approves appraisals for just compensation and the setting of dates for Resolution of Necessity hearings (RONs). In addition, the Board delegates limited signature authority to the Executive Director for execution of acceptance and acquisition documents, agreements, right-of-way certifications, and conveyance and other real estate documents. . As a result of this limited delegation of authority and the high volume of right-of-way acquisitions, the Board committees and the Board must consider numerous staff reports requesting certain approvals of right-of-way actions that other agencies allow at staff level. Each staff report requires production, review, approval and assembly in preparation for committee and Board agendas. This process takes approximately sixty to seventy days to complete at an average staff cost of approximately \$2,050.00 per agenda item. Without this authority, and assuming a single batch of appraisals and a single Resolution of Necessity (RON) Hearing are presented before a SANBAG committee and Board, the time necessary to acquire right-of-way certification is 276 days. With the proposed authority this period would be reduced to 204 days. This would generate approximately two and a half months and \$4,100.00 of savings per item. But for most projects, in order to maintain the schedule, particular right of way actions need to be approved in batches. Examples of multiple approvals are shown in the table below.

	Number of Agenda Items				Savings Under Proposed Policy	
	Current Policy			Proposed Policy	\$	Days
Project	Approve Appraisals	Approval to Set RON Hearing Date	RON Hearing	RON Hearing		
Lenwood Grade Separation	1	2	2	2	\$6,150	160
Laurel Grade Separation	3	2	3	3	\$10,250	255
Devore Interchange	12	N/A (CTC to Hear RONs)			\$15,252	327

In 1993, the Board adopted Policy 34507, Measure I Projects Program, Administrative Settlement Policy: Right of Way Acquisition for Measure I Major Projects. Policy 34507 establishes a standard procedure for utilization of an administrative process to acquire right-of-way. Proposed Policy 34509 clarifies that the administrative settlements process of Policy 34507 applies to all Measure I Major Projects, Commuter Rail/Transit projects and projects funded by non-Measure I funds. In addition, the proposed Policy 34509, shown in Attachment A, delegates authority to staff to approve and execute certain agreements and documents associated with acquisitions of rights-of-way for Measure I Program projects, Commuter Rail/Transit projects and non-Measure I funded projects. The policy would also delegate authority to staff to take certain actions associated with the eminent domain process including approving appraisals and setting Commission hearing dates for resolutions of necessity. The documents and actions listed in the table within the proposed policy are typical of those needed during the right-of-way phase of a project. This proposed policy provides delegation of authority similar to the signature and approval authority delegations adopted by Caltrans, OCTA and RCTC to streamline right-of-way and to deliver projects to construction. A comparison of transportation agency delegations of authority is shown in Attachment "B".

Adoption of Policy 35409 will increase the overall efficiency in project delivery to the construction phase by eliminating a number of routine matters from the Board's agendas thus freeing up time for the Board and staff to act on more substantive matters associated with the projects. Reporting will include concurrent notification to Board members when property owners receive notification of the Commission's intent to Hold a Resolution of Necessity Hearing. Staff recommends approval of Policy 35409.

Financial Impact: There is no fiscal impact to the current approved budget.

Reviewed By: This item was reviewed by the Right-of-Way Ad hoc Committee on March 27, 2013. SANBAG General Counsel has reviewed this item and a draft of Policy 35409.

Responsible Staff: Paula Beauchamp, Project Delivery Manager

Attachment "A"

San Bernardino Associated Governments	Policy	34509
Adopted by the Board of Directors	Month Day, 2013	Revised
Right-of-Way Signatory and Approval Authority	Revision No.	0

Table of Contents Purpose References Policy Revision History
--

I. PURPOSE

This policy delegates signatory and approval authority for various documents associated with right-of-way acquisitions for transportation projects.

II. REFERENCES

Policy 34507

III. POLICY

SANBAG, acting as the San Bernardino County Transportation Commission, acquires right-of-way for projects within the Measure I Program, Commuter Rail/Transit projects and projects funded with non-Measure I funds . It is the policy of SANBAG to comply with federal statutes and regulations (Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implemented by 49 CFR Part 24), and State statutes and regulations (California Government Code Sections 7260-7277, as implemented by the California Relocation Assistance and Real Property Acquisition Guidelines, Title 25, California Code of Regulations, Chapter 6, Article 1, Sections 6000 *et seq*, and the California Code of Civil Procedure Sections 1230.010 – 1230.070).

In doing so certain documents are required. This policy defines the signature and approval authority for these documents in the Table below. Exercise of approval authority is subject to Policy 34507 that established a standard procedure for use of an administrative process to acquire right-of-way. This policy and the administrative settlements process of Policy 34507 applies to all projects in the Measure I Program, Commuter Rail and Transit projects, and projects funded by non-Measure I funds.

Documents	Signature and Approval Authority
Certificates of Acceptance (Deeds, Easements, other recorded property transfer documents)	Department Director
Agreements related to Property Acquisitions (Purchase & Sale Agreements, Possession & Use Agreements, Settlement Agreements, Leases, Rental Agreements, Right-of-Way Contracts, Licenses, Rights of Entry, Permits to Enter, etc.)	Executive Director or designee within the Executive Management Team

Attachment "A"

Documents	Signature and Approval Authority ⁱⁱ
Utility Agreements up to \$2,000,000, including assumption of liability.	Department Director
SANBAG Conveyances to Others <ul style="list-style-type: none"> • Deeds • Other conveyance documents 	Executive Director or Designee within the Executive Management Team
Right-of-Way Certifications ⁱⁱⁱ *	Executive Director or designee within the Executive Management Team
Escrow Instructions*	Project Delivery Manager or Department Director or Designee
Notices to Utility Owners to Relocate*	Project Manager
Appraisals of Real Property Interests (Just Compensation, Goodwill and Relocation Assistance)*	Department Director, upon recommendation by a qualified appraiser
Setting Commission Hearing Dates for Resolutions of Necessity *	Department Director, working with Legal counsel and Clerk of the Board

IV. REVISION HISTORY

Revision No.	Revisions	Adopted
0	Adopted by the Board of Directors	Mm/dd/yy

ⁱ All listed documents must be approved as to form by SANBAG's General Counsel or designee, except those documents with an asterisk*.

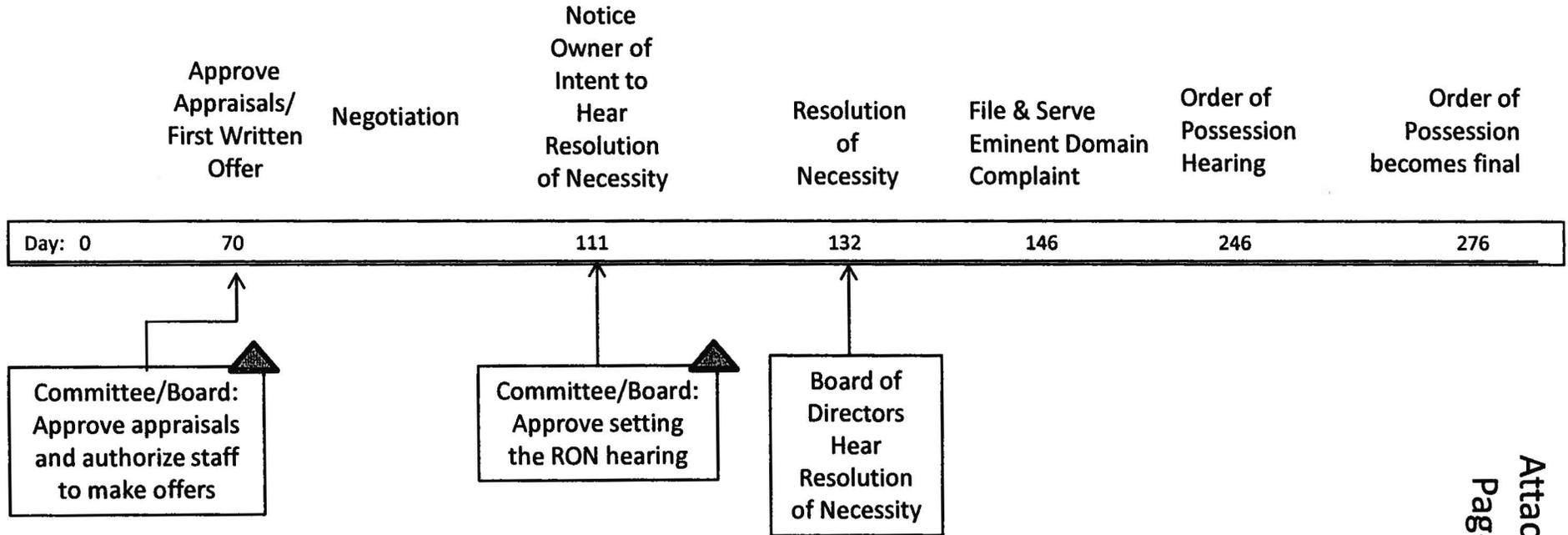
ⁱⁱ Signatures of parties on real property documents that are to be recorded with the county recorder's office, must be notarized.

ⁱⁱⁱ Resolution No. 13041 delegated authority to the Executive Director or designee to certify certain rights-of-way.

Attachment "B" Authority Delegation Comparison

Document	SANBAG (Proposed)	RCTC	OCTA	CALTRANS
Certificate of Acceptance (Deeds and Easements)	Department Director	Executive Director or Designee	Executive Director Capital Programs	Director, Designee at District Office
Agreements for Acquisition (Purchase & Sale Agreements, Possession & Use Agreements, Settlement Agreements, Leases, Rental Agreements, Right of Way Contracts)	Executive Director or Designee within the Executive Management Team	Executive Director or Designee	Chief Executive officer or Designee within the Executive Management Team.	District Right of Way Delivery Manager
Right of Way Certification	Department Director	Right of Way Manager	Executive Director, Capital Programs	Senior Right of Way Agent Cert 1,2 or Headquarters Chief Division of Right of Way Cert 3, 3W
Other Real Estate Documents (Licenses, Rights of Entry, Permit to Enter)	Department Director	Deputy Executive Director or Right of Way Manager	Director, Highway Programs	District Right of Way Delivery Manager
Agency Conveys to Others (Deeds and other conveyance documents)	Executive Director or Designee within the Executive Management Team	Executive Director or Designee (Deputy Executive Director)	Chief Executive Officer or Designee within the Executive Management Team.	District Right of Way Delivery Manager
Escrow Instructions	Project Delivery Manager or Department Director or Designee	Executive Director, Deputy Executive Director or Designee upon review and approval by Legal Counsel	Real Property Manager	District Right of Way Delivery Manager
Appraisal-Real Property Interest (Just Compensation, Goodwill, and Relocation Assistance Claim)	Department Director, upon recommendation by a qualified Review Appraiser	Executive Director, Deputy Executive Director or Designee upon recommendation of a qualified Review Appraiser	Review Appraiser	Appraisal, Real Property Interest, Just Comp.- (District Right of Way Manager) Goodwill, Railroads-(Headquarters, Chief, Division of Right of Way) Relo Claims-(Senior Right of Way Agent)
Utility Agreement up to \$2,000,000, including assumption of liability.	Department Director, upon review and approval by Legal Counsel	Executive Director or Designee (Deputy Executive Director or Director of Project, Delivery)	Executive Director, Capital Programs	District Senior Right of Way Agent
Notice to Utility Owners to Relocate.	Project Manager	Right of Way Manager	Real Property Manager	District Senior Right of Way Agent
Setting Resolution of Necessity Hearings	Department Director, working with Legal Counsel and Clerk of the Board	Right of Way Manager working with Legal Counsel and clerk of the board	Real Property Manager working with Legal Counsel and Clerk of the Board	District Delivery manager upon approval by Headquarters Supervisory Right of Way Agent.

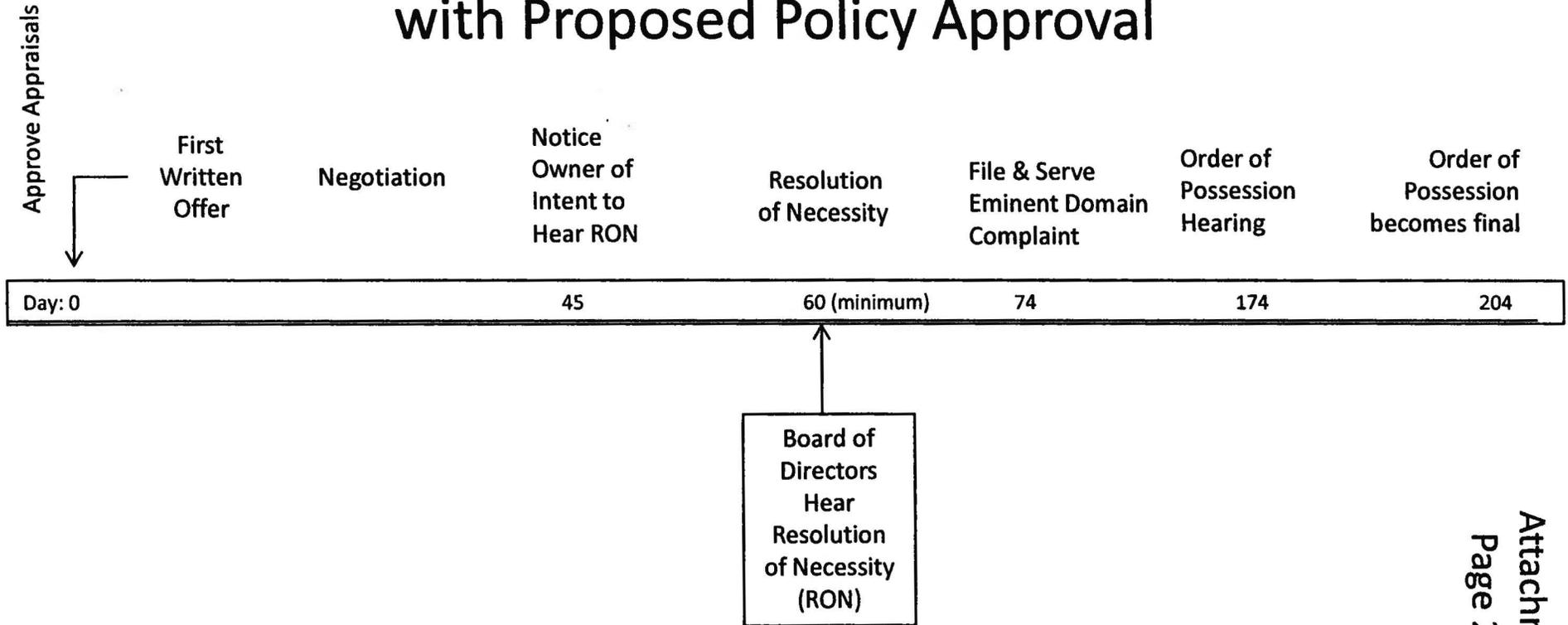
Current Off System Right of Way Acquisition Flow



Notes:

▲ Typically these Board actions are required more than once. For each additional action 60 – 70 days are required from the beginning of an agenda item preparation through Board approval.

Off System Right of Way Acquisition Flow with Proposed Policy Approval





- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 5

Date: May 8, 2013

Subject: San Bernardino Associated Governments Fiscal Year 2013/2014 Proposed Budget

- Recommendation:***
1. Conduct the Board of Directors Workshop for the proposed Fiscal Year 2013/2014 budget; and
 2. Recommend approval of the proposed Fiscal Year 2013/2014 budget and appropriation and estimated revenue amendments in the background information with Attachments A and B.

Background: The development of the Fiscal Year 2013/2014 proposed budget has been completed. The proposed budget documents have been distributed to members of the Board prior to the Budget Workshop. This meeting will serve as an opportunity for a final Board of Director's Workshop review of the proposed budget prior to the scheduled adoption at the June 5, 2013 Board meeting. The adoption of a resolution to establish the Appropriations Limitation will be provided with the Budget adoption since information is unavailable until mid May, when the State Department of Finance releases price and population information.

*

Approved
 General Policy Committee

Date: _____

Moved: Second:

In Favor: Opposed: Abstained:

Witnessed: _____

COG	X	CTC	X	CTA	X	SAFE		CMA	X
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Check all that apply.

GPC1305b-wws

Attachment:

<http://portal.sanbag.ca.gov/mgmt/committees/gpc/gpc2013/gpc1305/AgendaItems/GPC1305b1-wws.pdf>

<http://portal.sanbag.ca.gov/mgmt/committees/gpc/gpc2013/gpc1305/AgendaItems/GPC1305b2-wws.pdf>

<http://portal.sanbag.ca.gov/mgmt/committees/gpc/gpc2013/gpc1305/AgendaItems/GPC1305b3-wws.pdf>

Task level budget development has been completed relative to all of the activities included in the Fiscal Year 2013/2014 budget. San Bernardino Associated Governments (SANBAG's) budget process is structured to provide for the maximum level of input from all SANBAG policy committees. Each policy committee has reviewed the tasks that relate to the functional areas of committee oversight and each task has been reviewed by at least one of the policy committees.

SANBAG's budget process includes a review of the Boards' direction as it relates to short term goals and how it integrates with the agency's long term goals and objectives. As part of this review, staff analyzes the resources available to help meet the short term goals as set forth in the Fiscal Year budget.

Staffing for Fiscal Year 2012/2013 includes 50 regular full-time positions in comparison to 49 positions from the previous Fiscal Year, and also includes reclassifications.

SANBAG develops a program based budget which is adopted with funding source detail. The modified accrual basis (where revenues are recognized when received and available to meet current year obligations) is the basis for the Fiscal Year 2013/2014 budget. The budget Summary shows the anticipated revenues and expenditures for the upcoming Fiscal Year.

Estimated revenues for Fiscal Year 2013/2014 are \$614,864,569 (see Attachment A). Proposed Fiscal Year 2012/2013 Budget appropriations are \$733,069,185 (see Attachment B).

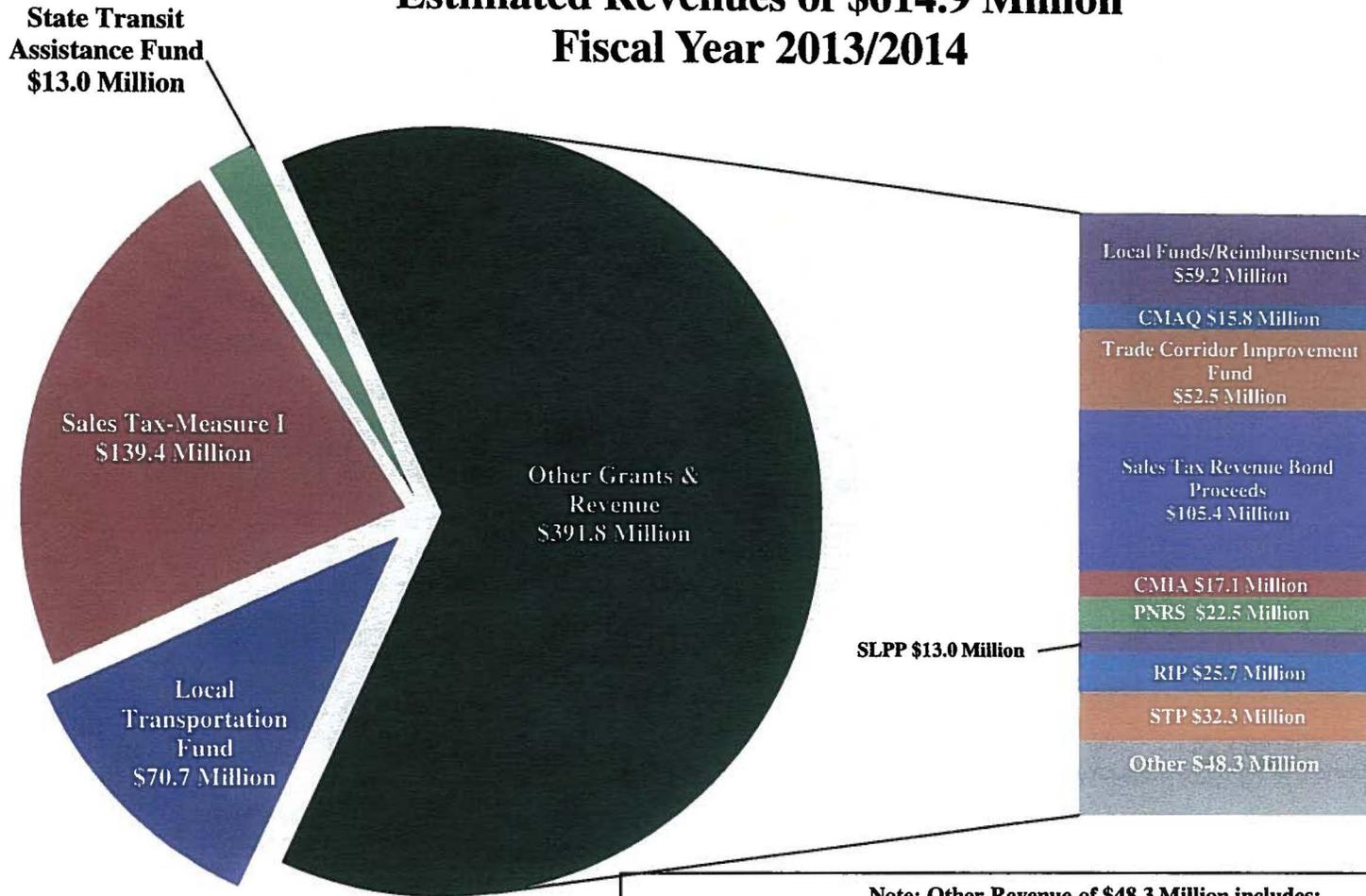
Financial Impact: Budget appropriations and estimated revenues are \$614,864,569 and \$733,069,185 respectively. The budget will establish the work program and financial approvals to guide the organization throughout the coming Fiscal Year.

Reviewed By: All four (4) of the SANBAG policy committees have reviewed task descriptions and budgets for activities under their purview during the past month.

Responsible Staff: William Stawarski, Chief Financial Officer

ATTACHMENT A

SAN BERNARDINO ASSOCIATED GOVERNMENTS
Estimated Revenues of \$614.9 Million
Fiscal Year 2013/2014

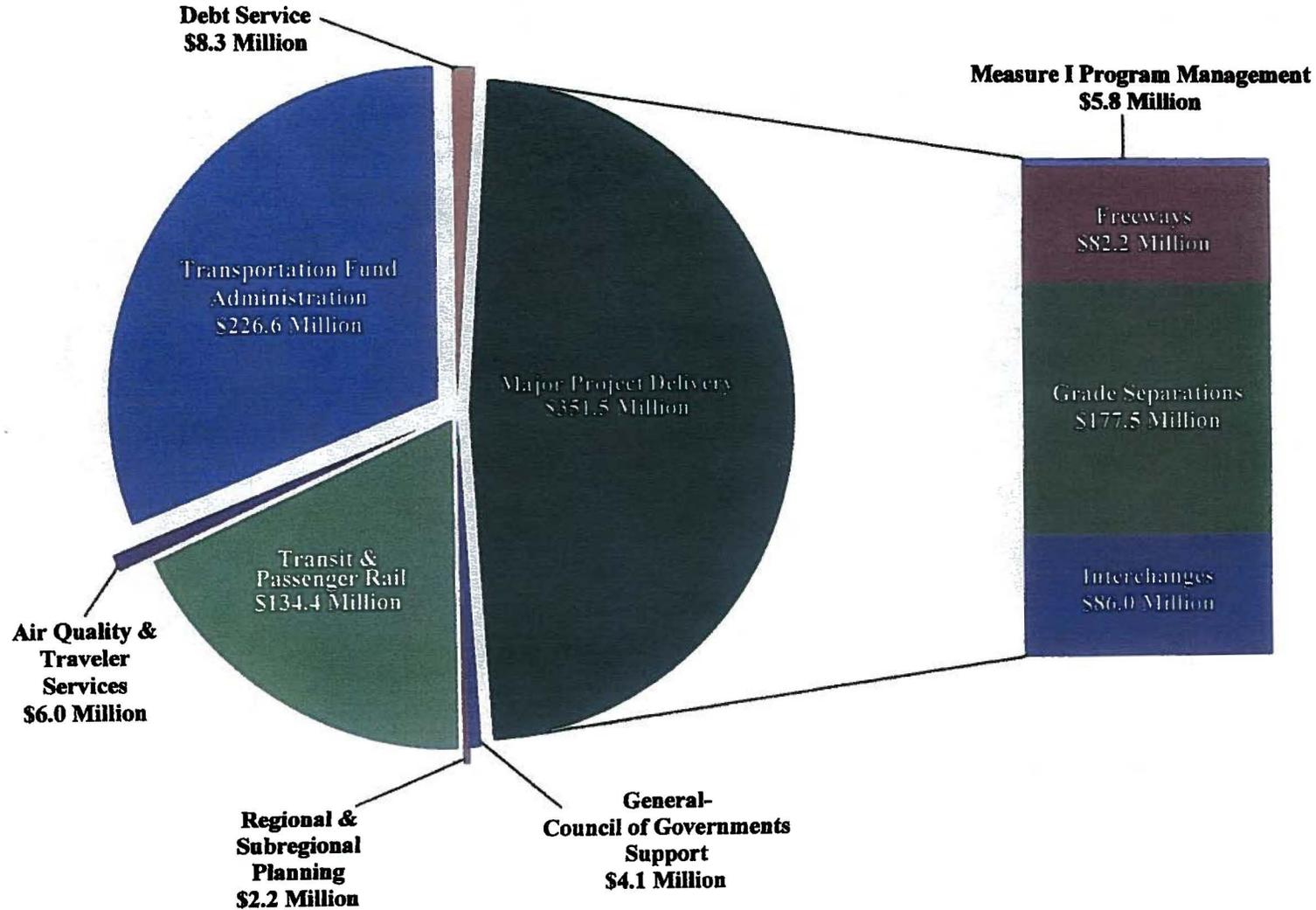


SLPP \$13.0 Million

Note: Other Revenue of \$48.3 Million includes:

- SAFE Vehicle Registration Fees
- Freeway Service Patrol/MSRC
- Planning, Programming & Monitoring
- Federal Transit Administration
- Rail Assets Revenue
- Interest Earnings
- Public Transportation Modernization, Improvement and Service Enhancement Account
- Transit System Safety Security and Disaster Recovery Program
- Federal Demonstration Funds
- Traffic Congestion Relief Program
- Interstate Maintenance Discretionary
- State Highway Operation & Protection Program
- Transportation Enhancement Activities

SAN BERNARDINO ASSOCIATED GOVERNMENTS
Budgeted Expenditures of \$733.1 Million
Fiscal Year 2013/2014



27



2013/2014 BUDGET WORKSHOP

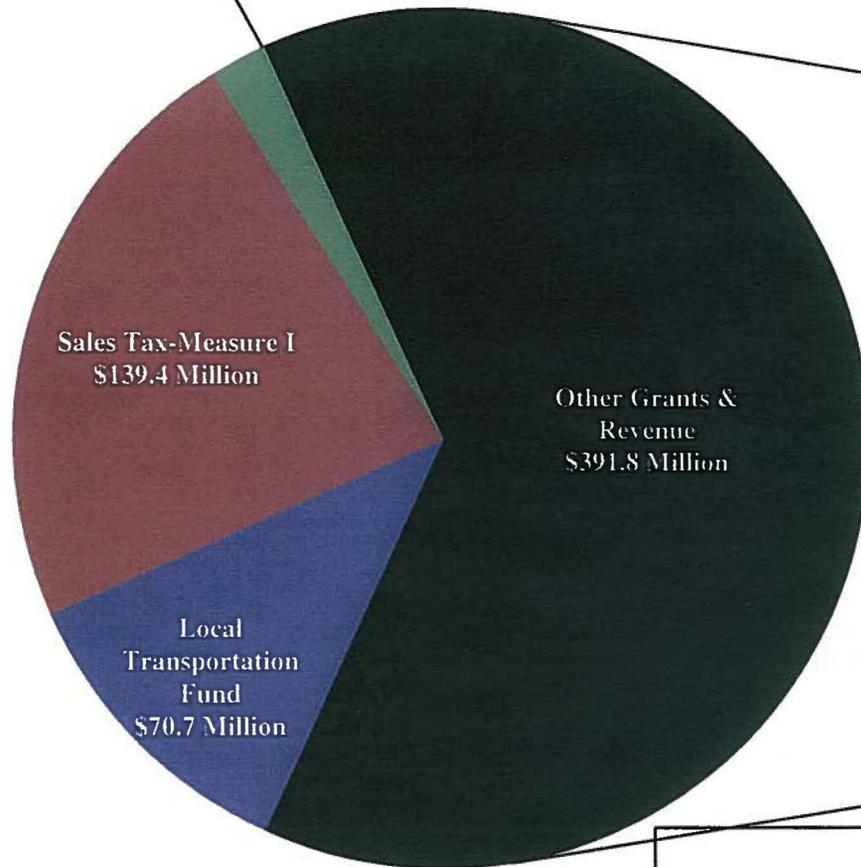
May 8, 2013

SAN BERNARDINO ASSOCIATED GOVERNMENTS

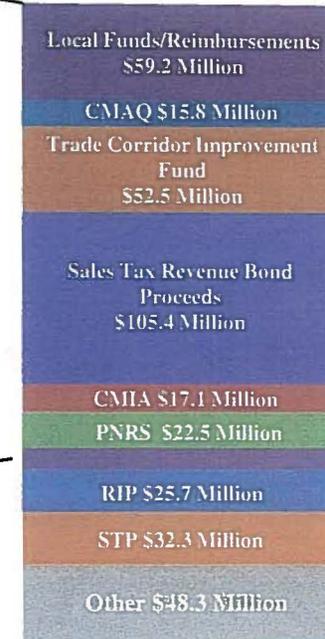
Estimated Revenues of \$614.9 Million

Fiscal Year 2013/2014

State Transit Assistance Fund
\$13.0 Million



SLPP \$13.0 Million



Note: Other Revenue of \$48.3 Million includes:

- SAFE Vehicle Registration Fees
- Freeway Service Patrol/MSRC
- Planning, Programming & Monitoring
- Federal Transit Administration
- Rail Assets Revenue
- Interest Earnings
- Public Transportation Modernization, Improvement and Service Enhancement Account
- Transit System Safety Security and Disaster Recovery Program
- Federal Demonstration Funds
- Traffic Congestion Relief Program
- Interstate Maintenance Discretionary
- State Highway Operation & Protection Program
- Transportation Enhancement Activities

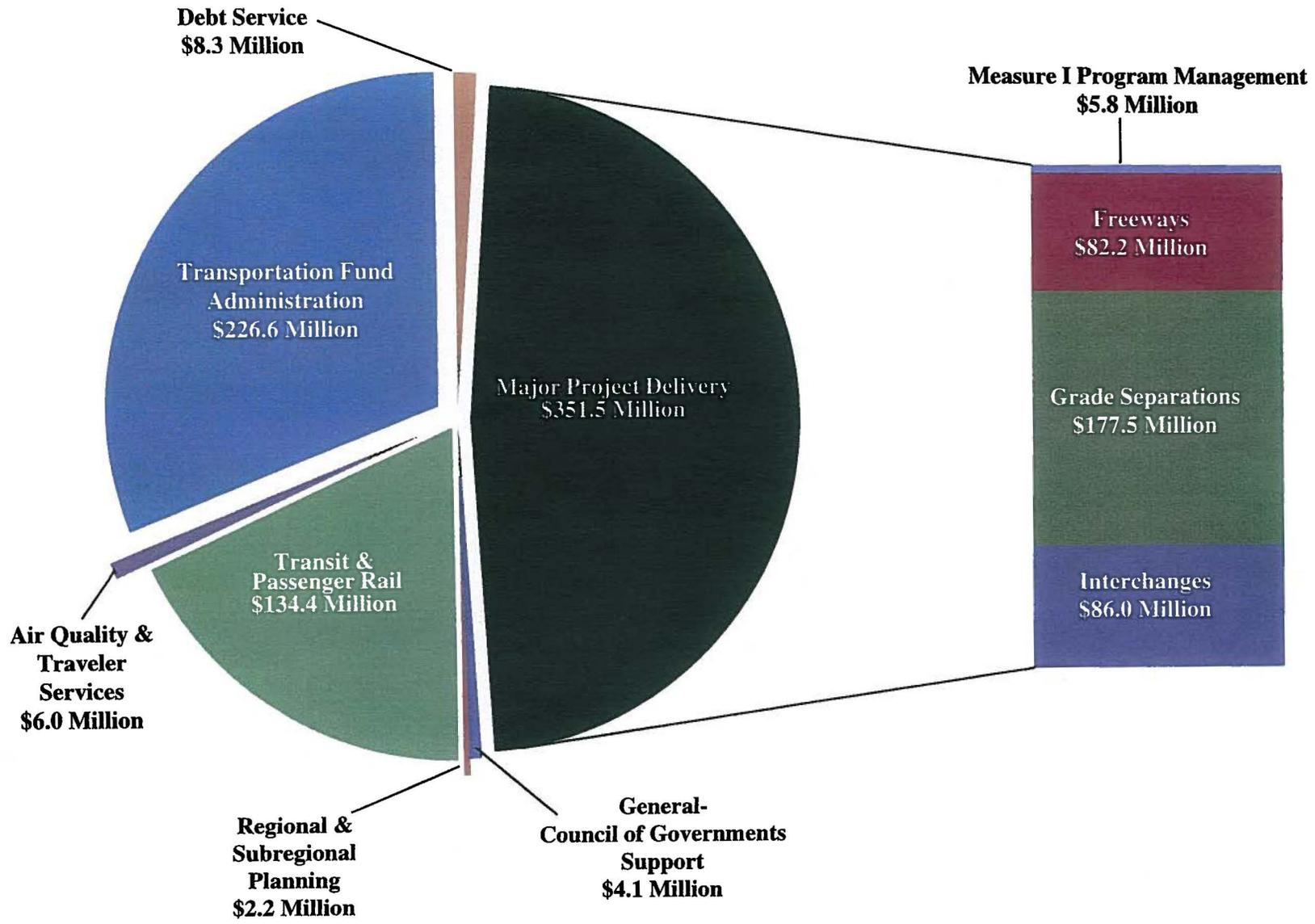
Measure I 2010-2040

	2013/2014 Budget
Administration	\$ 1,394,000
Cajon Pass	3,825,200
<i>Measure I Valley – 2010-2040</i>	
Freeway Projects	31,513,800
Freeway Interchange Projects	11,953,500
Major Street Projects	21,733,600
Metrolink /Rail Service	8,693,400
Express Bus/Bus Rapid Transit Service	2,173,400
Senior/Disabled Transit	8,693,400
Traffic Management Systems	2,173,400
Local Street Projects/Pass-Through	21,733,700
<i>Measure I Mountain/Desert 2010-2040</i>	
Major Local Highway Projects	6,378,200
Senior/Disabled Transit	1,275,600
Local Street Projects (68%)	17,348,600
Project Development/Traffic Management (2%)	510,200
<i>Total Budget for Measure I 2010-2040</i>	<i>\$ 139,400,000</i>

Measure I 2010-2040 Mountain/Desert

	Major Local Highway Projects	Senior/Disabled Transit	Local Street Projects	Project Development/ Traffic Management	2013/2014 Budget
Victor Valley	\$ 3,753,600	\$ 750,700	\$ 10,209,900	\$ 300,300	\$ 15,014,500
Morongo Basin	529,000	105,800	1,438,900	42,300	2,116,000
Mountain	482,500	96,500	1,312,400	38,600	1,930,000
North Desert	1,554,000	310,800	4,226,800	124,300	6,215,900
Colorado River	59,100	11,800	160,600	4,700	236,200
2013/2014 Budget	\$ 6,378,200	\$ 1,275,600	\$ 17,348,600	\$ 510,200	\$ 25,512,600

SAN BERNARDINO ASSOCIATED GOVERNMENTS
Budgeted Expenditures of \$733.1 Million
Fiscal Year 2013/2014





- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 6

Date: May 8, 2013

Subject: Change the SANBAG Friday Public Business Hours

Recommendation:* That the Committee recommend the Board approve a change in public business hours on Fridays from 8:00 a.m. - 5:00 p.m. to 8:00 a.m. - 4:00 p.m.

Background: Currently SANBAG's public office hours, the hours that the doors are open to the public and the switchboard is answered, are Monday through Friday from 8:00 a.m. until 5:00 p.m. While those are the public hours, SANBAG staff work flexible schedules with some staff participating in 9/80 plans and others working the traditional 5/40 plans. This means that even though the doors are locked and switchboard is unanswered before 8:00 a.m. and after 5:00, staff are still working and conducting business.

One of the flexible schedules that we offer to staff includes a ½ hour lunch. However, this schedule is not available to the employees that work the front desk because of the need for them to be at the front desk at 8:00 a.m. and until 5:00 p.m. This is not an issue Monday through Thursday as there is coverage available. However, on Fridays, because some staff members are on a flex day off due to their 9/80 schedule, the same coverage is not available.

The call volume coming into the general SANBAG line late on Friday afternoons is extremely low and the general public walking through the doors is generally non-existent. SANBAG's usual contact is with our member agencies and the

*

Approved
General Policy Committee

Date: _____

Moved: _____ Second: _____

In Favor: _____ Opposed: _____ Abstained: _____

Witnessed: _____

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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contracting community. That work continues as needed regardless of the status of the public counter and switchboard. Because of the minimal impact to the general public and the flexibility and equity to offer alternative work schedules to all of our staff, including the reception staff, it is recommended that this change be approved.

Financial Impact: It is not anticipated that this item will have a financial impact.

Reviewed By: This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff: Duane A. Baker, Director of Management Services



San Bernardino Associated Governments

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Phone: (909) 884-8276 Fax: (909) 885-4407 Web: www.sanbag.ca.gov



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 7

Date: May 8, 2013

Subject: Replace SANBAG Owned Smartphones with a Communications Technology Stipend

Recommendation:* That the Committee recommend the Board authorize the Executive Director to replace the issuance of SANBAG owned smartphones with a communications technology stipend not to exceed \$41.54/pay period (which is equivalent to \$90/month) and to be adjusted each year to reflect changes in the monthly cost of an unlimited talk, text and 1 gigabyte of data plan to essential staff approved by the Executive Director.

Background: Currently, SANBAG issues smartphones to essential staff to enable them to stay in contact with the office through phone and e-mail while away at meetings, in the field, traveling, or at home. To comply with IRS regulations, the Finance Department requires each employee issued a SANBAG owned smartphone to review the monthly bill, identify any personal calls, and then reimburse SANBAG for those personal calls. This creates a burden on our Finance staff.

Rather than continue this practice, SANBAG would like to start a practice used by other jurisdictions to provide a communications technology stipend. The proposed amount would be \$41.54/pay period and would be sufficient to offset the voice and data needs of the staff that use smartphones for SANBAG business. In addition, staff would be authorized to adjust the amount of the stipend annually at the end of the fiscal year to reflect any changes up or down in

*

Approved
General Policy Committee

Date: _____

Moved: _____ Second: _____

In Favor: _____ Opposed: _____ Abstained: _____

Witnessed: _____

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply.
GPC1305c-dab

the cost of an unlimited talk, text and 1 gigabyte data plan. The benchmark that will be used are the plans offered by Verizon Wireless as that is the plan of current SANBAG owned phones being replaced by this stipend.

Currently, there are 19 staff that are authorized to be issued a SANBAG smartphone. The total monthly cost to provide all 19 phones would be a little less than \$1,100 and would vary slightly depending on usage. On an individual basis the monthly amount for voice and data varies greatly from approximately \$85.00 to \$52.00 depending on usage. In some months some users have higher charges than others.

By comparison, providing the monthly stipend to the same staff would have a fixed total monthly cost of \$1,710. The amount of the stipend was selected based on the cost of an individual paying the monthly access charge for a smartphone with a 1 GB data plan.

While there is some additional cost to SANBAG month-to-month with the stipend, the savings that SANBAG would realize would outweigh the cost. SANBAG would no longer be responsible for buying or replacing smartphones for staff. The cost for purchasing 19 smartphones is over \$4,000. Also, SANBAG staff would no longer need to review phone bills, keep track of personal calls and process reimbursements to SANBAG. The cost for this effort is estimated at almost \$3,000 for the year. Finally, Finance staff would no longer need to spend time processing the monthly invoice and ensuring that reimbursements for personal use are received by SANBAG. The cost savings from this are estimated at approximately \$1,300 for the year. This time could be used for other tasks more aligned with our core activities.

Staff recommends approval of this change to save staff time and for the added convenience of employees selecting and maintaining their own phones for both personal and business use.

Financial Impact: This item will have an annual cost of \$20,520. This cost will be offset by savings to SANBAG from 1) not having to buy smartphones in the future at a cost of approximately \$4,787 every three years; 2) from not having to pay monthly wireless bills estimated at \$13,200/year; and 3) from staff savings of approximately \$4,300/ year to be used in support of core functions.

Reviewed By: This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff: Duane A. Baker, Director of Management Services



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 8

Date: May 8, 2013

Subject: Lease of Unit No. 140 at the San Bernardino Santa Fe Depot

Recommendation:* That the Committee recommend the Board acting as the San Bernardino County Transportation Commission approve Lease Agreement C13126 with Southern California Association of Governments in the amount of \$101,232 for Unit No. 140, approximately 1800 square feet at the San Bernardino Santa Fe Depot.

Background: San Bernardino Associated Governments acting as the San Bernardino County Transportation Commission, (SANBAG) and the City of San Bernardino (CITY), as co-owners of the San Bernardino Santa Fe Depot (DEPOT) as Tenants-in-Common, share the responsibilities for the DEPOT as written in Cooperative Agreement A04040. Pursuant to the Agreement, the CITY has delegated to SANBAG all authority to enter into leases at the DEPOT.

Southern California Association of Governments (SCAG) has been a tenant at the DEPOT since April 2009. The original four year Lease Agreement No. C09181 between SANBAG and SCAG expired on February 28, 2013. It is SCAG's desire to continue using the location as its regional office. Having SCAG located in the same building as SANBAG has been beneficial to the agencies that we both serve and to each other.

CityCom, the DEPOT property manager, has prepared a new lease agreement for the Board's approval. The terms of the lease are generally:

1. Premises – Unit No. 140, approx. 1800 sf.

*

	<p><i>Approved</i> <i>General Policy Committee</i></p> <p>Date: _____</p> <p>Moved: _____ Second: _____</p> <p>In Favor: _____ Opposed: _____ Abstained: _____</p> <p>Witnessed: _____</p>
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COG		CTC	x	CTA		SAFE	CMA
-----	--	-----	---	-----	--	------	-----

Check all that apply.

General Policy Committee Agenda Item

May 8, 2013

Page 2

2. Term –Five years with two 1-year options to extend
3. Base rent - \$1,620 per month for the first year with an annual rent increase of 3%.
4. Common Area Maintenance (CAM) – SCAG will pay 4.1% of the total estimated common area expenses reconciled to actual expenses annually. CAM expenses include general maintenance, maintenance of landscaping and parking lot, utilities to the common area, and security. It is estimated that the CAM cost will be \$1,267 per month in the first year.
5. Rent and CAM Abatement – Base Rent and CAM charges to be abated for the first two months in exchange for SCAG performing their own tenant improvements. Improvements include demolishing pony wall partitions, adding/moving phone and data drops, additional lighting, carpet and drywall repair, doorbell installation, room divider installation, and interior window installations.
6. Parking - Nine reserved parking spaces.

Financial Impact: This item is consistent with the SANBAG Fiscal Year 2012/2013 budget. All revenue collected under this lease will be retained by CityCom who is responsible for the administration of all leases at the DEPOT. The lease revenue of \$101,232 will be deposited with other lease revenue received from leasing space at the DEPOT and used to offset expenses incurred related to the property management of the DEPOT. The estimated \$73,486 for CAM maintenance will be applied against the DEPOT common area expenses.

Reviewed By: This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG Contract Administrator has reviewed this item and a draft of the Contract.

Responsible Staff: Duane A. Baker, Director of Management Services



CONTRACT SUMMARY SHEET

Contract No. C 13126 Amendment No. _____

By and Between

San Bernardino County Transportation Commission and Southern California Association of Governments

Contract Description Lease Agreement – Santa Fe Depot Unit No. 140

Board of Director's Meeting Date: June 5, 2013
 Overview of BOD Action: Approval of five year lease agreement with two 1-year options to extend

Is this a Sole-Source procurement? Yes No

CONTRACT OVERVIEW			
Original Contract Amount	\$	101,232.00	Original Contingency Amount
			\$ 0
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	0	Revised Contingency Amount <i>Inclusive of prior amendments</i>
			\$ 0
Current Amendment Amount	\$	0	Contingency Amendment
			\$ 0
TOTAL CONTRACT VALUE	\$	101,232.00	TOTAL CONTINGENCY VALUE
			\$ 0
TOTAL BUDGET AUTHORITY <i>(contract value + contingency)</i>			\$ 101,232.00

Contract Start Date 6/5/13	Current Contract Expiration Date 5/31/18	Revised Contract Expiration Date
Has the contract term been amended? <input type="checkbox"/> No <input type="checkbox"/> Yes - please explain.		

FINANCIAL INFORMATION	
<input checked="" type="checkbox"/> Budget authority for this contract currently exists in Task No. <u>0805</u> .	
<input type="checkbox"/> A Budget Amendment is required.	
How are we funding current FY?	
<input type="checkbox"/> Federal Funds	<input type="checkbox"/> State Funds
<input checked="" type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds
<input type="checkbox"/> Measure I Funds	
Provide Brief Overview of the Overall Funding for the duration of the Contract:	
All revenue collected under this lease will be administered by the depot property management firm hired by SANBAG. The combined lease and CAM revenue are estimated to be \$174,718 and will be used to offset expenses incurred related to the property management of the Depot and common area expenses.	
<input type="checkbox"/> Payable <input checked="" type="checkbox"/> Receivable	

CONTRACT MANAGEMENT INFORMATION	
Check all applicable boxes:	
<input type="checkbox"/> Retention? If yes, indicate % _____.	
<input type="checkbox"/> Disadvantaged Business Enterprise (DBE) Goal _____ %	

Colleen Franco
Project Manager (Print Name)

Duane A. Saker
Task Manager (Print Name)

Andrea Zureick
Dir. of Fund Admin. & Programming (Print Name)

Jeffery Hill
Contract Administrator (Print Name)

W. STAMPS
Chief Financial Officer (Print Name)

Colleen E Franco 4/23/13
Signature Date

Duane A Saker 4/23/13
Signature Date

Andrea Zureick 4/25/13
Signature Date

Jeffery Hill 4/25/13
Signature Date

W. STAMPS 4/24/13
Signature Date

CONTRACT NO: C13126

BY AND BETWEEN

SAN BERNARDINO COUNTY TRANSPORTATION COMMISSION

AND

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

TABLE OF CONTENTS

<u>Section #</u>		<u>Page #</u>
1	Summary of Lease Provisions	3
2	Premises	3
3	Common Areas	3
4	Parking	4
5	Term	4
6	Rent	4
6	Common Area Operating Expenses	4
7	Rent Increase	5
8	Security Deposit	5
9	Use	5
10	Maintenance & Repairs	5
11	Utilities & Services	6
12	Alterations & Additions	6
13	Insurance & Indemnity	7
14	Property Taxes	8
15	Assignment & Subletting	8
16	Default; Breach; Remedies	8
16	Late Charges	9
17	Estoppel Certificate	9
18	Surrender; Move-out	9
19	Holding Over	9
20	Substituted Premises	9
21	Landlord's Access	9
22	Security	10
23	Signs	10
24	Subordination	10
25	Options	10
26	Damage or Destruction	11
27	General Lease Terms	12
28	Additional Terms	13
	Signatures	13
Exhibit "A"	Rules & Regulations	
Exhibit "B"	[intentionally omitted]	
Exhibit "C"	Site Plan	

1. Summary of Lease Provisions

1.01 **Parties:** This Lease, dated, for reference purposes only, June 5, 2013, is made by and between **San Bernardino County Transportation Commission (SANBAG)** (herein called "Landlord") and **Southern California Association of Governments (SCAG)** (herein called "Tenant").

1.02 **Premises:** Unit Number(s) **140**, consisting of **1,800** rentable square feet, more or less, as defined in Section 2 (the "Premises").

1.03 **Building:** Commonly described as being located at **1170 West 3rd Street** in the City of **San Bernardino**, County of **San Bernardino**, State of California.

1.04 **Term:** **Five (5) years**, commencing **June 1, 2013** ("Commencement Date") and ending **May 31, 2018**, as defined in Section 5.

1.05 **Base Rent:** **\$.90** per rentable square foot of Premises per month, payable on the **first** calendar day of each month, per Section 6.

1.06 **Base Rent Increase:** Annually, the monthly Base Rent payable under Section 1.05 shall be adjusted as provided in Section 7.

1.07 **Late Charges:** **6%** if any installment of Base Rent, Operating Expense Increase, or any other sum due from Tenant shall not be received by Landlord within **five (5)** business days after the first day of each month.

1.08 **Security Deposit:** **\$0.00**.

1.09 **Tenant's Share of Common Area Operating Expenses:** **4.1%** as defined in Section 6.

1.10 **Parking:** Any available unreserved and unassigned vehicle parking spaces for Tenant's visitors (who shall not utilize any spaces reserved for other occupants of the Depot), and **nine (9)** reserved parking spaces for Tenant's employees, as provided for in Section 4.

1.11 **Use:** **SCAG Regional Offices**.

1.12 **Utilities:** Provided by Landlord (subject to reimbursement as may be provided for in this Lease): **Water/Sewer/Gas/Trash** Provided by Tenant: **Electricity/Phone/Data**, as further defined and subject to the provisions in Section 11.

1.13 **Maintenance & Repairs:** Interior of Premises maintained by **Tenant**; Exterior of Building maintained by **Landlord** subject to and in accordance with Section 10.

1.14 **Insurance:** **\$1,000,000** liability policy required to be carried by Tenant prior to Occupancy - see Section 13.

1.15 **Options to Extend:** Tenant has **two (2)** Options to Extend the term of this Lease for a period of **one (1)** year each, as provided for in Section 25.

1.16 **Tenant Improvements:** (check one)

- Tenant to accept Premises in as-is condition.
 Landlord to provide Tenant Improvements as provided for in Paragraph ____
 Tenant to provide Tenant Improvements as provided for in Paragraph 28.

1.17 **Notices:**

To Landlord:

**San Bernardino County Transportation
Commission (SANBAG)
c/o City Commercial Management
10722 Arrow Route - Suite 500
Post Office Box 548
Rancho Cucamonga, CA 91729-0548
Telephone: (909) 948-1662
FAX : (909) 948-1349**

To Tenant:

**Southern California
Association of Governments
Attn: Basil Banas, CFO
818 West Seventh Street, 12th Floor
Los Angeles, CA 90017-3435

(213) 236-1800
(213) 236-1825 fax**

2. Premises.

Landlord hereby leases to Tenant for the term, at the rental, and upon all of the conditions set forth herein, the Premises as defined in Section 1.02. The Premises, the Building(s), the Common Areas, and the land upon which the same are located, are collectively referred to as the "Depot" (as per the attached Site Plan). It is understood and agreed that the square footage figures set forth in the Basic Lease Provisions are approximations which Landlord and Tenant agree are reasonable and shall not be subject to revision except in connection with an actual change in the size of the Premises.

Tenant hereby accepts the Premises and the Depot in their condition existing as of the Lease

Commencement Date or the date that Tenant takes possession of the Premises, whichever is earlier, subject to all applicable zoning, municipal, county and state laws, ordinances and regulations governing and regulating the use of the Premises, and any easements, covenants or restrictions of record, and accepts this Lease subject thereto and to all matters disclosed thereby and by any exhibits attached hereto. Tenant acknowledges that it has satisfied by its own independent investigation that the Premises are suitable for its intended use, and that neither Landlord nor Landlord's agent or agents has made any representation or warranty as to the present or future suitability of the Premises, Common Areas, or Depot for the conduct of Tenant's business.

3. Common Areas.

"Common Areas" are defined as all areas outside the confines of the Premises, including but not limited to parking areas, loading and unloading zones, trash enclosures, roadways, sidewalks, walkways, parkways, ramps, driveways, landscaped areas, and that are within the Depot that are provided and designated for the general non-exclusive use of Landlord, Tenant, and all other Tenants of the Depot. Tenant, Tenant's employees, visitors, and invitees hereby agree to abide by and conform to all rules and regulations, which Landlord shall have the right in its sole reasonable discretion to modify from time to time. Landlord shall have the exclusive control and management of the Common Areas; however, Landlord shall not be responsible for the non-compliance of said rules and regulations by other tenants, employees, and invitees to the Depot. Landlord shall have the right in its sole discretion to (1) make changes to the Building exterior and/or Common Areas; (2) close temporarily any of the Common Areas for maintenance purposes so long as reasonable access remains available; and (3) to add additional improvements to the Common Areas. Under no circumstances shall the right herein granted to use the Common Areas be deemed to include the right to store any property, temporarily or permanently, in the Common Areas. Any such storage shall be permitted only by the prior written consent of Landlord or Landlord's designated agent, which consent may be revoked at any time. In the event that any unauthorized storage shall occur then Landlord shall have the right, without notice, in addition to such other rights and remedies it may have, to remove the property and charge the cost to Tenant, which cost shall be immediately payable upon demand by Landlord.

4. Parking.

Tenant shall be entitled to use the vehicle parking spaces as provided for in Section 1.10 on those portions of the Common Areas designated by Landlord for parking. Tenant shall not use more spaces than said maximum number, and spaces shall be used only for vehicles no larger than full-sized passenger vehicles, pick-up trucks, or sport utility vehicles. Any vehicle loading or unloading shall only be permitted in areas and at times designated by Landlord for such activities. Landlord shall have the right, without notice, to tow any of Tenant's vehicles (or Tenant's employees, invitees, contractors, or visitors) that are in violation of any parking rules and regulations, the cost of which shall be the sole responsibility of Tenant.

For Tenant's reserved parking spaces as identified in Section 1.10 of this Lease, five stalls shall be marked "SCAG Only" along the front (south) side of the Depot, and four stalls shall be marked as "SCAG or SANBAG Only" in the parking lot to the east side of the Depot.

5. Term.

"Possession" of the Premises shall be deemed tendered to Tenant when (1) improvements, if any, are substantially completed, and (2) Tenant has been given reasonable access to the Premises, including delivery by Landlord of keys to the Premises. If for any reason Landlord cannot deliver possession of the Premises on the Commencement Date as provided for in Section 1.04, the Commencement Date and ending dates shall be correspondingly extended in relation to the Term of this Lease, and Landlord shall not be subject to any liability, nor shall such delay in commencement affect the validity of this Lease or the obligations of Tenant hereunder (except that Tenant shall not be obligated to pay rent until possession of the Premises has been delivered as provided for herein). However, there shall be no abatement of rent or adjustment of the Commencement Date if such delays are caused by actions of Tenant, Tenant's agents or contractors.

6. Rent.

Rent and Base Rent. Any and all amounts from time to time payable to Landlord by Tenant hereunder shall be referred to herein as Rent, including, but not limited to, Base Rent, and shall be paid in full when due without right of offset, setoff or deduction. Tenant shall pay to Landlord the Base Rent for the Premises as provided of in Section 1.05. Base Rent for any period less than one month shall be prorated based upon the actual number of days in the calendar month involved. Rent shall be payable in lawful money of the United States to Landlord at the address stated herein or to any such other persons or at any such other places as Landlord may designate in writing.

Common Area Maintenance Expenses ("CAM"). Tenant shall pay to Landlord during the term hereof, in addition to the Base Rent, Tenant's Share as provided for in Section 1.09 and hereinafter defined, of all Common Area Maintenance Expenses, as herein defined, during each calendar year, also referred to as "CAM Charges", in accordance with the following provisions:

(a) "Common Area Maintenance Expenses" are defined, for purposes of this Lease, as all costs incurred by Landlord, relating to the ownership and operation of the Depot, including, but not limited to, the following:

(i) The operation, repair and maintenance, in neat, clean, good order and condition, of the following:

(aa) The Common Areas, including parking areas, loading and unloading areas, trash

areas, public restrooms, roadways, sidewalks, walkways, parkways, driveways, landscaped areas, striping, bumpers, irrigation systems, Common Area lighting facilities, fences and gates, elevators, escalators, and roof;

- (bb) Exterior signs and any tenant directories.
- (cc) Fire detection (including monitoring costs) and sprinkler systems.
- (ii) The cost of water, gas, electricity, and telephone to service the Common Areas.
- (iii) Trash disposal, property management, security services, association fees, and the costs of any environmental inspections.
- (iv) Reserves set aside for maintenance and repair of Common Areas.
- (v) Real Property Taxes (as defined in Section 14) for the Building and the Common Areas.
- (vi) The cost of the premiums for the insurance policies maintained by Landlord under Section

13.

- (vii) Any deductible portion of an insured loss concerning the Building or the Common Areas.
- (viii) Any other services to be provided by Landlord that are stated elsewhere in this Lease to be a Common Area Maintenance Expense.

(ix) Any management fees incurred by Landlord in connection with the operation of the Depot or, at Landlord's option, in lieu of any such management fees, 15% of CAM Charges as computed without regard to this clause (ix).

(b) Any Common Area Maintenance Expenses and Real Property Taxes that are specifically attributable to the Building or to any other building in the Depot or to the operation, repair, and maintenance thereof, shall be allocated entirely to the building or to such other building. However, any Common Area Operating Expenses and Real Property Taxes that are not specifically attributable to the Building or to any other building or to the operation, repair, and maintenance thereof, shall be equitably allocated by Landlord to all buildings in the Depot.

(c) The inclusion of the Improvements, facilities, and services set forth in this Section shall not be deemed to impose an obligation upon Landlord to either have said improvements or facilities or to provide those services unless the Depot already has the same or Landlord already provides the services.

(d) Tenant's Share of Common Area Operating Expenses (CAM Charges) shall be payable by Tenant within ten (10) days after a reasonably detailed statement of actual expenses is presented to Tenant by Landlord's agent. At Landlord's option, however, an amount may be estimated by Landlord from time to time of Tenant's Share of annual CAM Charges and the same shall be payable monthly or quarterly, as Landlord shall designate, during each 12-month period of the Lease term, on the same day as the Base Rent is due hereunder. Landlord shall deliver to Tenant within sixty (60) days after the expiration of each calendar year a reasonably detailed statement showing Tenant's Share of the actual CAM Charges incurred during the preceding year (the "Reconciliation"). If Tenant's payments during said preceding year exceed Tenant's Share as indicated on said Reconciliation, Landlord shall be credited the amount of such overpayment against Tenant's Share of CAM Charges next becoming due. If Tenant's payments during said preceding year were less than Tenant's Share as indicated on said Reconciliation, Tenant shall pay to Landlord the amount of the deficiency within ten (10) days after delivery by Landlord to Tenant of said Reconciliation.

7. Rent Increase.

On each anniversary date of this Lease, the Base Rent shall be increased by CPI Adjustment (see subsection "A" below) or fixed rental adjustment (see subsection "B" below).

~~A. **CPI Rental Adjustment ("CPI"):** At the times set forth in paragraph 1.06 of the Base Lease Provisions, the monthly Base Rent shall be adjusted by the increase, if any, in the Consumer Price Index of the Bureau of Labor Statistics of the Department of Labor for All Urban Consumers, (1982-84=100), "All Items", for the City nearest the location of the Building, herein referred to as "CPI", since the date of this Lease. The monthly Base Rent shall be calculated as follows: the Base Rent payable for the first month of the term of this Lease shall be multiplied by a fraction the numerator of which shall be the CPI of the calendar month during which the adjustment is to take effect, and the denominator of which shall be the CPI for the calendar month in which the original Lease term commences. The sum so calculated shall constitute the new monthly Base Rent hereunder, but, in no event, shall such new monthly Base Rent be less than the Base Rent payable for the month immediately preceding the date for the rent adjustment. In the event the compilation and/or publication of the CPI shall be transferred to any other governmental department or bureau or agency or shall be discontinued, then the index most nearly the same as the CPI shall be used to make such calculations. Tenant shall continue to pay the rent at the rate previously in effect until the increase, if any, is determined. Within ten (10) days following the date on which the increase is determined, Tenant shall make such payment to Landlord as will bring the increased rental current. Thereafter the rental shall be paid at the increased rate.~~

B. **Fixed Rental Adjustment ("FRA"):** The Base Rent shall be adjusted by increasing the monthly Base Rent by **three percent (3%)** each year over the rent for the preceding term.

Months	Monthly Base Rent
*3 - 12	\$.90 per rentable square foot
13 - 24	\$.93 per rentable square foot
25 - 36	\$.95 per rentable square foot
37 - 48	\$.98 per rentable square foot
49 - 60	\$1.01 per rentable square foot

* NOTE: MONTHS ONE AND TWO OF BASE RENT AND CAM SHALL BE ABATED IN FULL IN ACCORDANCE WITH SECTION 28 HEREIN.

8. Security Deposit

~~Tenant shall deposit with Landlord upon execution hereof the Security Deposit set forth in paragraph 1.08 of the Basic Lease Provisions as security for Tenant's faithful performance of Tenant's obligations hereunder. If Tenant fails to pay rent or other charges due hereunder, or otherwise defaults with respect to any provision of this Lease, Landlord may use, apply or retain all or any portion of said deposit for the payment of any rent or other charge in default or for the payment of any other sum to which Landlord may become obligated by reason of Tenant's default, or to compensate Landlord for any loss or damage which Landlord may suffer thereby. If Landlord so uses or applies all or any portion of said deposit, Tenant shall within ten (10) days after written demand therefor deposit cash with Landlord in an amount sufficient to restore said deposit to the full amount then required of Tenant. If the monthly rent shall, from time to time, increase during the term of this Lease, Tenant shall, at the time of such increase, at Landlord's option, deposit with Landlord additional money as a security deposit so that the total amount of the security deposit held by Landlord shall at all times bear the same proportion to the then current Base Rent as the initial security deposit bears to the initial Base Rent. If Tenant performs all of Tenant's obligations hereunder, said deposit, or so much thereof as has not heretofore been applied by Landlord, shall be returned, without payment of interest or other increment for its use, to Tenant (or, at Landlord's option, to the last assignee, if any, of Tenant's interest hereunder) at the expiration of the term hereof, and after Tenant has vacated the Premises and delivered possession to Landlord. No trust relationship is created herein between Landlord and Tenant with respect to said Security Deposit. Landlord shall not be required to segregate such deposit from other Landlord moneys and shall not be required to pay any interest thereon.~~

9. Use.

The Premises shall be used and occupied only for the purpose as provided for in Section 1.11 and for no other purpose. Tenant shall conduct its business in a lawful manner (including obtaining and maintaining any required governmental permits and licenses) and shall not use or permit use of the Premises or the Common Areas in any manner that will tend to create waste or a nuisance or shall tend to disturb other occupants of the Depot.

10. Maintenance and Repairs.

Landlord's Obligations: Landlord shall keep the Depot foundations, exterior walls, exterior doors and windows, roof, fire sprinkler system and fire/smoke detection equipment, and common areas (as defined above), in good condition and repair; provided, however Landlord shall not be obligated to repair or replace any interior windows, doors or plate glass of the Premises. There shall be no abatement of rent or liability of Tenant on account of any injury or interference with Tenant's business with respect to any improvements, alterations, or repairs made by Landlord to the Depot or any part thereof.

Tenant's Obligations: Tenant shall, at Tenant's sole cost and expense and at all times, keep the Premises and every part thereof in good order, condition, and repair (whether or not the need for such repairs occurs as a result of Tenant's use, any prior use, the elements, or the age of such portion of the Premises), including, without limiting the generality of the foregoing, all equipment or facilities specifically serving the Premises, such as plumbing, electrical, lighting facilities, fixtures, interior walls, interior surfaces of exterior walls, ceilings, floors, windows, doors, plate glass, and skylights, but excluding any items which are the responsibility of Landlord. Tenant, in keeping the Premises in good order, condition, and repair, shall exercise and perform good maintenance practices. Tenant's obligations shall include restorations, replacements, or renewals when necessary to keep the Premises and all improvements thereon or a part thereof in good order, condition, and state of repair. Tenant shall also, at Tenant's sole cost and expense, procure and maintain a contract, with copies to Landlord, in customary form and substance for and with a contractor specializing and experienced in the inspection, maintenance, and service of the heating, air conditioning, and ventilation system for the Premises. However, Landlord reserves the right to procure and maintain the contract for the heating, air conditioning, and ventilation systems, and if Landlord so elects, Tenant shall reimburse Landlord, upon demand, for the cost thereof.

If Tenant fails to perform its obligations under this Section, Landlord may enter upon the Premises after ten (10) days' prior written notice to Tenant (except in the case of an emergency, in which case no notice shall be required), perform such obligations on Tenant's behalf, and put the Premises in good order, condition, and repair.

Hazardous Substances. The term "Hazardous Substance" as used in this Lease shall mean any product, substance, chemical, material, or waste whose presence, nature, quantity, and/or intensity of existence, use, manufacture, disposal, transportation, spill, release, or effect, either by itself or in combination with other materials expected to be on the Premises, is either (i) potentially injurious to the public health, safety, or welfare, the environment, or the Premises; (ii) regulated or monitored by any governmental authority; or (iii) a basis for potential liability of Landlord to any governmental agency or third party under any applicable statute or common law theory. Tenant shall not engage in any activity in or about the Premises which constitutes a use of Hazardous Substances without the express written consent of Landlord and compliance in a timely matter (at Tenant's sole cost and expense) with all governmental requirements (including but not limited to compliance with all laws, rules, regulations, ordinances, directives, covenants, easements, and restrictions of record, permits, and the requirements of any applicable fire insurance underwriter or rating bureau). Landlord may (but without any obligation to do so) condition its consent, if granted, to Tenant's use of any Hazardous Substance upon Tenant's giving Landlord such additional assurances as Landlord, in its reasonable discretion, deems necessary to protect itself, the public, the Premises, and the environment against damage, contamination, or injury and/or liability therefor, including but not limited to the installation (and, at Landlord's option, removal on or before Lease expiration or earlier termination) of reasonably necessary protective modifications to the Premises and/or the deposit of an additional Security Deposit. Tenant shall not cause or permit any Hazardous Substance to be spilled or released in, on, under, or about the Premises (including, without

limitation, through the plumbing or sanitary sewer system).

Tenant shall indemnify, protect, defend, and hold Landlord, its agents, employees, lenders, and ground Landlord, if any, and the Premises, harmless from and against any and all damages, liabilities, judgments, costs, claims, liens, expenses, penalties, loss of permits and attorneys' and consultants' fees arising out of and involving and Hazardous Substance brought onto the Premises by or for Tenant or by anyone under Tenant's control. Tenant's obligations under this subsection shall include, but not be limited to, the effects of any contamination or injury to person, property, or the environment created or suffered by Tenant, and the cost of investigation (including consultants' and attorneys' fees and testing), removal, remediation, restoration, and/or abatement thereof, or of any contamination therein involved, and shall survive the expiration or earlier termination of this Lease. No termination, cancellation, or release agreement entered into by Landlord and Tenant shall release Tenant from its obligations under this Lease with respect to Hazardous Substances, unless specifically so agreed by Landlord in writing at the time of such agreement.

11. Utilities & Services.

Landlord shall be responsible for the payment of the following utilities and services that serve the Premises, subject to reimbursement of same as provided for herein (check those that apply):

- Electricity
- Gas
- Water/Sewer
- Telephone & Data Service
- Trash
- Security Alarm Monitoring
- Janitorial Service & Supplies

Tenant shall be responsible for the direct payment or reimbursement to Landlord of the following utilities and services that serve the Premises (check those that apply):

- Electricity
- Gas
- Water/Sewer
- Telephone & Data Service
- Trash
- Security Alarm Monitoring
- Janitorial Service & Supplies

In the event any of Tenant's afore-mentioned utilities are not separately metered to the Premises, Tenant shall pay at Landlord's option, either Tenant's Share or a reasonable proportion to be determined by Landlord of all charges jointly metered with other Premises in the Building.

There shall be no abatement of rent and Landlord shall not be liable in any respect whatsoever for the inadequacy, stoppage, interruption, or discontinuance of any utility or service due to riot, strike, labor dispute, breakdown, accident, repair, or other cause beyond Landlord's reasonable control or in cooperation with governmental request or directions.

12. Alterations and Additions.

Tenant shall not without Landlord's prior written consent make any alterations, improvements, additions, or repairs (hereinafter collectively referred to as "Alterations") in, on or about the Premises or the Depot. Should Landlord permit Tenant to make its own Alterations, Tenant shall use only contractors that are properly and adequately licensed and insured, and Landlord may require Tenant to provide Landlord, at Tenant's sole cost and expense, a lien and completion bond in an amount equal to one and one-half times the estimated cost of such improvements, to insure Landlord against any liability for mechanic's and materialmen's liens and to ensure completion of the work. Any Alterations in or about the Premises or the Depot that Tenant shall desire to make shall be presented to Landlord in written form, with proposed detailed plans. If Landlord shall give its consent to making such Alteration, the consent shall be deemed conditioned upon Tenant acquiring a permit to do so from the applicable governmental agencies, furnishing of a copy thereof to Landlord prior to the commencement of the work, and compliance by Tenant of all conditions of said permit in a prompt and expeditious manner.

Tenant shall pay, when due, all claims for labor or materials furnished or alleged to have been furnished to or for Tenant at or for use in the Premises, which claims are or may be secured by any mechanic's or materialmen's lien against the Premises, the Building, or the Depot, or any interest therein. Tenant shall give Landlord not less than ten (10) days' notice prior to the commencement of any work in the Premises by Tenant, and Landlord shall have the right to post notices of non-responsibility in or on the Premises or the Building as provided by law.

All Alterations which may be made on the Premises by Tenant shall be made and done in a good and workmanlike manner and of good and sufficient quality and materials and shall be the property of Landlord and shall remain upon and be surrendered with the Premises at the expiration of the Lease term, unless Landlord requires their removal pursuant to Section 18.

13. Insurance and Indemnity.

Liability and Property Insurance - Tenant: Tenant shall provide a certificate of self insurance to Landlord of not less than \$1,000,000 per occurrence of bodily injury and property damage, or Tenant shall, at Tenant's expense, obtain and keep in force during the term of this Lease a policy of Comprehensive General Liability insurance in an amount of not less than \$1,000,000 per occurrence of bodily injury and property damage combined or in a greater amount as reasonably determined by Landlord and shall insure Tenant with Landlord as additional insured against liability arising out of the use, occupancy, or maintenance of the Premises. Compliance with the above requirement shall not, however, limit the liability

of Tenant hereunder. Tenant shall also maintain Insurance coverage on all of Tenant's personal property, trade fixtures, and alterations and improvements in, on, or about the Premises similar in coverage to that carried by Landlord (such insurance shall be full replacement cost coverage with a deductible not to exceed \$2,500 per occurrence, and the proceeds from any such insurance shall be used exclusively for the replacement of personal property and the restoration of trade fixtures, alterations, and improvements). Tenant shall deliver to Landlord certificates evidencing the existence and amounts of such insurance within seven (7) days after the Commencement Date of this Lease, and shall, at least thirty (30) days prior to the expiration of such policies, furnish Landlord with renewals thereof.

The cost of the premiums for the insurance policies maintained by Landlord hereinafter shall be a Common Area Operating Expense.

Liability Insurance - Landlord: Landlord shall obtain and keep in force during the term of this Lease a policy of Combined Single Limit Bodily Injury and Broad Form Property Damage Insurance, plus coverage against such other risks Landlord deems advisable from time to time, insuring Landlord, but not Tenant, against liability arising out of the ownership, use, occupancy, or maintenance of the Depot in an amount not less than \$1,000,000 per occurrence.

Property Insurance: Landlord shall obtain and keep in force during the term of this Lease a policy or policies of insurance covering loss or damage to the Depot improvements, but not Tenant's personal property, fixtures, equipment, or tenant improvements, in an amount of the full replacement cost thereof, as the same may exist from time to time, providing protection against all perils included within the classification of fire, extended coverage, vandalism, malicious mischief, plate glass, and such other perils as Landlord deems advisable or may be required by a lender having a lien on the Depot. In addition, Landlord shall obtain and keep in force, during the term of this Lease, a policy of rental value insurance covering a period of one year, with loss payable to Landlord, which insurance shall also cover all Operating Expenses for said period. Tenant shall not be named in any such policies carried by Landlord and shall have no right to any proceeds therefrom. In the event that the Premises shall suffer any insured losses, the deductible amounts under the applicable insurance policies shall be deemed an Operating Expense. Tenant shall not do or permit to be done anything which shall invalidate the insurance policies carried by Landlord. Tenant shall pay the entirety of any increase in the property insurance premium for the Depot over what it was immediately prior to the commencement of the term of this Lease if the increase is specified by Landlord's insurance carrier as being caused by the nature of Tenant's occupancy or any act or omission of Tenant.

Waiver of Subrogation: Tenant and Landlord each hereby release and relieve the other, and waive their entire right of recovery against the other for direct or consequential loss or damage arising out of or incident to the perils covered by property insurance carried by such party, whether due to the negligence of Landlord or Tenant or their agents, employees, contractors, and/or invitees.

Indemnity: Tenant shall indemnify and hold harmless Landlord and its agents, Landlord's master or ground Landlord, partners and lenders, from and against any and all claims for damage to the person or property of anyone or any entity arising from Tenant's use of the Depot, or from the conduct of Tenant's business or from any activity, work or things done, permitted or suffered by Tenant in or about the Premises or elsewhere and shall further indemnify and hold harmless Landlord from and against any and all claims, costs and expenses arising from any breach or default in the performance of any obligation on Tenant's part to be performed under the terms of this Lease, or arising from any act or omission of Tenant, or any of Tenant's agents, contractors, employees, or invitees, and from and against all costs, attorney's fees, expenses and liabilities incurred by Landlord as the result of any such use, conduct, activity, work, things done, permitted or suffered, breach, default, or negligence, and in dealing reasonably therewith, including but not limited to the defense or pursuit of any claim or any action or proceeding involved therein; and in case any action or proceeding be brought against Landlord by reason of any such matter. Tenant, upon notice from Landlord, shall defend the same at Tenant's expense by counsel reasonably satisfactory to Landlord and Landlord shall cooperate with Tenant in such defense. Landlord need not have first paid any such claim in order to be so indemnified.

Exemption of Landlord from Liability: Tenant hereby agrees the Landlord shall not be liable to Tenant's business or any loss of income therefrom or for damage to the goods, wares, merchandise or other property of Tenant, whether such damage or injury is caused by or results from fire, steam, electricity, gas, water or rain, or from the breakage, leakage, obstruction or other defects of pipes, sprinklers, wires, appliances, plumbing, air conditioning or lighting fixtures, or from any other cause, whether said damage results from conditions arising upon the Premises or upon other portions of the Depot, or from other sources or places, or from new construction or the repair, alteration, or improvement of any part of the Depot, or of the equipment, fixtures, or appurtenances applicable thereto, and regardless of whether the cause of such damage or the means or repairing the same is inaccessible. Landlord shall not be liable for any damages arising from any act or neglect of any other Tenant, occupant or user of the Depot, nor from the failure of Landlord to enforce the provisions of any other lease of any other Tenant of the Depot.

14. Property Taxes.

Real Property Taxes: Landlord shall pay real property taxes and associated assessments applicable to the Depot, subject to reimbursement as a Common Area Operating Expense by Tenant in accordance with the provisions of Sections 1.09 and 6. Tenant shall also pay to Landlord the entirety of any increase in real property tax if assessed solely by reason of additional improvements placed upon the Premises by Tenant or at Tenant's request. Real property taxes shall include any form of real estate tax or assessment, general, special, ordinary or extraordinary, and any license fee, commercial rental tax, improvement bond or bonds, levy or tax (other than inheritance, personal income, or estate taxes) imposed on the Depot or any portion thereof by any authority having the direct or indirect power to tax, including any city, county, state or federal government, or any school, agriculture, sanitary, fire, street, drainage or other improvement district thereof.

Personal Property Taxes: Tenant shall pay prior to delinquency all taxes assessed against and levied upon trade fixtures, furnishings, equipment and all other personal property of Tenant contained in the Premises or elsewhere.

15. Assignment & Subletting.

Tenant shall not voluntarily or by operation of law assign, transfer, mortgage, sublet, or otherwise transfer or encumber all or any part of Tenant's interest in the Lease or in the Premises, without Landlord's prior written consent, which Landlord shall not unreasonably withhold (however, Landlord reserves the right to condition any approval to assign or sublet upon Landlord's determination that (a) the proposed assignee or subtenant shall conduct a business on the Premises of a quality substantially equal to that of Tenant and consistent with the general character of the other occupants of the Depot and not in violation of any exclusives or rights then held by other tenants, and (b) the proposed assignee or subtenant be at least as financially responsible as Tenant was expected to be at the time of the execution of this Lease or of such assignment or subletting, whichever is greater). Regardless of Landlord's consent, no assignment or subletting shall release Tenant of Tenant's obligations hereunder or alter the primary liability of Tenant to pay the rent and other sums due Landlord hereunder including Tenant's Share of Operating Expense Increase, and to perform all other obligations to be performed by Tenant hereunder. If Tenant's obligations under this Lease have been guaranteed by third parties, then an assignment or sublease, and Landlord's consent thereto, shall not be effective unless said guarantors give their written consent to such sublease and the terms thereof. The consent by Landlord to any assignment or subletting shall not constitute a consent to any subsequent assignment or subletting by Tenant or to any subsequent or successive assignment or subletting by the subtenant. Landlord shall be a party to, and have the right to review, any proposed subleases and associated documents. If Tenant shall request the consent of Landlord for a proposed assignment or subletting, then Tenant shall pay Landlord's reasonable costs and expenses incurred in connection therewith, including attorneys', architects', engineers', or other consultants' fees.

In the event of any default under this Lease, Landlord may proceed directly against Tenant, any guarantors or anyone else responsible for the performance of this Lease, including the subtenant, without first exhausting Landlord's remedies against any other person or entity responsible therefor to Landlord, or any security held by Landlord or Tenant. The discovery of the fact that any financial statement relied upon by Landlord in giving its consent to an assignment or subletting was materially false shall, at Landlord's election, render Landlord's said consent null and void.

16. Default; Breach; Remedies.

Tenant's Default/Breach: The occurrence of any one or more of the following events shall constitute a material default of this Lease by Tenant:

(a) The breach by Tenant of any of the covenants, conditions or provisions contained within this Lease, where such breach is of an incurable nature.

(b) The failure by Tenant to make any payment of rent or any other payment required to be made by Tenant hereunder, and as when due, where such failure shall continue for a period of three (3) days after written notice thereof from Landlord to Tenant. In the event that Landlord serves Tenant with a Notice to Pay Rent or Quit pursuant to applicable Unlawful Detainer statutes such Notice to Pay Rent or Quit shall also constitute the notice required by this subparagraph.

(c) The failure of Tenant to observe or perform any of the covenants, conditions, or provisions of this Lease to be observed or performed by Tenant, where such failure is curable in nature and continues for a period of three (3) business days after written notice thereof from Landlord to Tenant; provided, however, that if the nature of Tenant's noncompliance is such that more than three (3) business days are reasonably required for its cure, then Tenant shall not be deemed to be in default if Tenant commenced such cure within said three (3) business day period and thereafter diligently pursues such cure to completion. Such three (3) business day notice shall constitute the sole and exclusive notice required to be given to Tenant under applicable Unlawful Detainer statutes.

(d) The discovery by Landlord that any financial statement given to Landlord by Tenant, or its successor in interest or by any guarantor of Tenant's obligation hereunder, was materially false.

Landlord's Default/Breach: Landlord shall not be in default unless Landlord fails to perform obligations required of Landlord within a reasonable time, but in no event later than three (3) business days after written notice by Tenant to Landlord; provided, however, that if the nature of Landlord's obligation is such that more than three (3) business days are required for performance then Landlord shall not be in default if Landlord commences performance within such three (3) business day period and thereafter diligently pursues the same to completion.

Remedies: In the event of any material default or breach of this Lease by Tenant, Landlord may at any time thereafter, with or without notice or demand and without limiting Landlord in the exercise of any right or remedy which Landlord may have by reason of such default:

(a) Terminate Tenant's right to possession of the Premises by any lawful means, in which case this Lease and the term hereof shall terminate and Tenant shall immediately surrender possession of the Premises to Landlord. In such event Landlord shall be entitled to recover from Tenant all damages incurred by Landlord by reason of Tenant's default including, but not limited to, the cost of recovering possession of the Premises; expenses of reletting, including necessary renovation and alteration of the Premises, recapture of any inducement such as abated rent periods, reasonable attorneys' fees, and any real estate commission actually paid; the worth at the time of award of the court having jurisdiction thereof the amount by which the unpaid rent for the balance of the term after the time of such award exceeds the amount of such rental loss for the same period that Tenant proves could be reasonably avoided; that portion of the leasing commission paid by Landlord applicable to the unexpired term of this Lease.

(b) Maintain Tenant's right to possession in which case this Lease shall continue in effect whether or not Tenant shall have vacated or abandoned the Premises. In such event Landlord shall be entitled to enforce all of Landlord's rights and remedies under this Lease, including the right to recover the rent as it becomes due hereunder.

(c) Pursue any other remedy now or hereafter available to Landlord under the laws or judicial decisions of the state wherein the Premises are located. Unpaid installments of rent and other unpaid monetary obligations of Tenant under the terms of this Lease shall bear interest from the date due at the maximum rate then allowable by law.

Late Charges: Tenant hereby acknowledges that the late payment by Tenant to Landlord of Base Rent, Tenant's Share of Operating Expense Increase or other sums due hereunder will cause Landlord to incur costs not contemplated by this Lease, the exact amount of which will be extremely difficult to ascertain. Accordingly, if any installment of Base Rent, Operating Expense Increase, or any other sum due from Tenant shall not be received by Landlord or Landlord's designee within **five business (5) days** after such amount shall be due, then, without any requirement for notice to Tenant, Tenant shall pay to Landlord a late charge equal to **six percent (6%)** of such overdue amount. The parties hereby agree that such late charge represents a fair and reasonable estimate of the costs Landlord will incur by reason of late payment by Tenant. Acceptance of such late charge by Landlord shall in no event constitute a waiver of Tenant's default with respect to such overdue amount, nor prevent Landlord from exercising any of the other rights and remedies granted hereunder.

17. Estoppel Certificate.

Each party (as "responding party") shall at any time upon not less than ten (10) days' prior written notice from the other party ("requesting party") execute, acknowledge, and deliver to the requesting party a statement in writing (i) certifying that this Lease is unmodified and in full force and effect (or, if modified, stating the nature of such modification and certifying that this Lease, as so modified, is in full force and effect) and the date to which the rent and other charges are paid in advance, if any, and (ii) acknowledging that there are not, to the responding party's knowledge, any uncured defaults on the part of the requesting party, or specifying such defaults if any are claimed. Any such statement may be conclusively relied upon by any prospective purchaser or encumbrancer of the Depot or of the business of Tenant. At the requesting party's option, the failure to deliver such statement within such time shall be conclusive upon such party that (i) this Lease is in full force and effect, without modification except as may be represented by the requesting party, (ii) there are no uncured defaults in the requesting party's performance, and (iii) if Landlord is the requesting party, not more than one month's rent has been paid in advance.

18. Surrender; Move-out.

On the last day of the term hereof, or on any sooner termination, Tenant shall surrender the Premises to Landlord, which shall include the return of all keys and access control devices, in the same condition as received, ordinary wear and tear excepted, clean and free of debris. Any damage or deterioration of the Premises shall not be deemed ordinary wear and tear if the same could have been prevented by reasonable maintenance practices by Tenant. Tenant shall repair any damage to the Premises occasioned by the installation or removal of Tenant's trade fixtures, alterations, furnishings and equipment, and shall leave the HVAC equipment, power panels, electrical distribution systems, lighting fixtures and lamps, window coverings, wall and floor coverings, ceilings, plumbing fixtures, and all other building systems in the Premises in good operating condition.

19. Holding Over.

If Tenant, with Landlord's consent, remains in possession of the Premises or any part thereof after the expiration of the term hereof, such occupancy shall be a tenancy from month to month upon all the provisions of this Lease pertaining to the obligations of Tenant, except that the rent payable shall be **125%** of the rent immediately preceding the termination date of this Lease, and all Options, if any, granted under the terms of this Lease shall be deemed terminated and be of no further effect during said month to month tenancy.

20. Substituted Premises.

~~Landlord reserves the right, upon not less than sixty (60) days prior written notice to Tenant, to substitute for the Premises some other premises within the Building having substantially equivalent net rentable area as the Premises, subject to a 15% variation, provided that Landlord shall pay all expenses reasonably incurred in relocating Tenant's property to such new location, and upon the expiration of such written notice, such other premises shall be substituted for the Premises for all purposes under this Lease. Landlord shall not be obligated to Tenant for any lessee resulting from the substitution of Premises, and Tenant agrees to hold Landlord harmless against any such lessee.~~

21. Landlord's Access.

Landlord and Landlord's agents shall have the right to enter the Premises at reasonable time for the purpose of inspecting the same, performing any services required of Landlord, showing the same to prospective purchasers, lenders, or tenants, making such alterations, repairs, improvements, or additions to the Premises or to the Depot as Landlord may reasonably deem necessary or desirable and/or the erecting, using, and maintaining of utilities, services, pipes, and conduits through the Premises and/or other premises as long as there is no unreasonable interference with Tenant's property or business use of the Premises. Landlord may at any time place on or about the Premises or the Building any ordinary "For Sale" signs and Landlord may at any time during the last 120 days of the term hereof place on or about the Premises any ordinary "For Lease" signs. All activities of Landlord pursuant to this paragraph shall be without abatement of rent, nor shall Landlord have any liability to Tenant for the same.

Landlord shall have the right to retain keys to the Premises and to unlock all doors in or upon the Premises other than to files, vaults, and safes, and in the case of emergency to enter the Premises by any reasonably appropriate means, and any such entry shall not be deemed a forcible or unlawful entry or detainer of the Premises or an eviction. This Section shall in no event constitute a waiver of Tenant's right to quiet enjoyment of the Premises.

22. Security.

Tenant hereby acknowledges that Landlord shall have no obligation whatsoever to provide guard service or other security measures for the benefit of the Premises or the Depot. Tenant assumes all responsibility for the protection of Tenant, its agents, and invitees and the property of Tenant and of

Tenant's agents and invitees from acts of third parties. Nothing herein contained shall prevent Landlord, at Landlord's sole option, from providing security protection for the Depot or any part thereof, in which event the cost thereof shall be included within the definition of Common Area Operating Expenses.

Tenant shall not permit anyone, except in emergency or with Landlord's prior approval, to go upon the roof of the building nor to access electrical, utility, elevator, machinery or equipment rooms.

23. Signs.

Tenant shall not place any sign upon the Premises or the Depot without Landlord's prior consent. Under no circumstances shall Tenant place a sign on any roof of the Depot. Lettering on directory or monument signs, if applicable and which must be expressly approved herein, shall be provided by Landlord Tenant, and shall conform to the Depot sign criteria. In the event Tenant is permitted signage on the Building exterior, such signage shall be subject to the Depot sign criteria and in accordance with applicable codes, requirements, and governmental approval of the City in which the Building is located. The installation, maintenance, repair, and removal (including any underlying damage caused by removal) of such exterior signage shall be provided by Tenant, at Tenant's sole cost and expense. Failure to maintain such signage shall, at Landlord's option, result in forfeiture of the sign position(s) and removal of existing signage (at Tenant's cost).

24. Subordination.

This Lease, and any Option or first refusal granted hereby, at Landlord's option, shall be subordinate to any ground lease, mortgage, deed of trust, or any other hypothecation or security now or hereafter placed upon the Depot. Notwithstanding such subordination, Tenant's right to quiet possession of the Premises shall not be disturbed if Tenant is not in default and so long as Tenant shall pay the rent and observe and perform all of the provisions of this Lease, unless otherwise terminated pursuant to its terms. Tenant agrees to execute any documents required to effectuate an attornment, a subordination, or to make this Lease or any Option granted herein prior to the lien of any mortgage, deed of trust, or ground lease, as the case may be. Tenant's failure to execute such documents within ten (10) days after written demand shall constitute a material default by Tenant hereunder without further notice to Tenant or, at Landlord's option, Landlord shall execute such documents on behalf of Tenant as Tenant's attorney-in-fact.

25. Options.

As used in this paragraph the word "Option" has the following meaning: (1) the right or option to extend the term of this Lease or to renew this Lease; (2) the option or right of first refusal to lease the Premises or the right of first offer to lease the Premises or the right of first refusal to lease other space within the Depot or the right of first offer to lease other space within the Depot; (3) the right or option to purchase the Premises or the Depot, or the right of first refusal to purchase the Premises or the Depot, or the right of first offer to purchase the Premises or the Depot.

Each Option granted to Tenant in this Lease is personal to the original Tenant and may be exercised only by the original Tenant while occupying the Premises. In the event that Tenant has multiple options to extend or renew this Lease a later option cannot be exercised unless the prior option to extend or renew this Lease has been so exercised. All rights of Tenant under the provisions of an Option shall terminate and be of no further force or effect, notwithstanding Tenant's due and timely exercise of the Option, if, during the term of this Lease, (i) Tenant fails to pay Landlord a monetary obligation of Tenant for a period of thirty (30) days after such obligation becomes due (without any necessity of Landlord to give notice thereof to Tenant), or (ii) Tenant fails to commence to cure any curable default or breach of the provisions of this Lease within thirty (30) days after the date that Landlord gives notice to Tenant of such default and/or Tenant fails thereafter to diligently prosecute said cure to completion, or (iii) Landlord gives to Tenant three or more notices of default for the non-payment of rent, whether or not the defaults are cured, or (iv) if Tenant has committed any non-curable breach or is otherwise in default of any of the terms, covenants, and conditions of this Lease.

Any and all Options granted to Tenant, if any, are hereby prescribed as follows:

Provided Tenant is not in default or has not committed a default during the term of this Lease, Landlord hereby grants Tenant the right to extend the term of this Lease for two (2) additional periods of one (1) year each. In order to exercise such Options, Tenant must notify Landlord, in writing, no later than ninety (90) days prior to the expiration of the original or preceding term, of its intent to exercise this Option to Extend. Failure to notify Landlord as stipulated shall, at Landlord's discretion, automatically cancel Tenant's rights hereby granted under this Option. The monthly Base Rent for these Option periods granted herein, if exercised, shall be increased by three percent (3%) initially and annually thereafter over the preceding period.

26. Damage or Destruction.

In the event the Premises sustains damages of less than fifty percent (50%) of its then replacement value, then Landlord shall repair such damage (except for Tenant's improvements, trade fixtures and equipment) as soon as reasonably possible, and this Lease shall continue in full force and effect, and Rent and other charges shall be abated in proportion to the degree to which Tenant's use of the Premises is impaired. In the event such damages are uninsured, Landlord may elect not to restore and repair the Premises, in which case this Lease shall be terminated. In either case, if such damages or destruction was caused by a negligent or willful act of Tenant, then Tenant shall make all necessary repairs and restorations at its sole cost and expense and this Lease shall continue in full force and effect with no abatement of rent.

In the event the Premises sustains damages of more than fifty percent (50%) of its then replacement value, (unless caused by a negligent or willful act of Tenant in which case Tenant shall make all necessary repairs and restorations at its sole cost and expense and this Lease shall continue in full force and effect with no abatement of rent), this Lease shall terminate effective on the date of such damage or

destruction.

27. Eminent Domain.

Eminent domain proceedings resulting in the condemnation of part of the Premises herein that leave the remaining portion usable by Tenant for purposes of the business for which the Premises are leased will not terminate this Lease. If Tenant determines that the remaining portion is not reasonably usable, Tenant may terminate this Lease by giving written notice of termination to Landlord no more than ninety (90) days after the notice of condemnation or taking. The effect of such condemnation, should Tenant not terminate this Lease, will be to terminate this Lease as to the portion of the Premises condemned and leave it in effect as to the remainder of the Premises, and the Rent and all other expenses provided for herein shall be adjusted accordingly. Compensation awarded as a result of such condemnation shall belong to Landlord (including damages for the bonus value of Tenant's leasehold improvements), except to the extent that part of the award is allocated as damages to fixtures of the Depot which were furnished by Tenant, or expenses for Tenant's relocation.

28. General Lease Terms:

Severability. The invalidity of any provision of this Lease as determined by a court of competent jurisdiction, shall in no way affect the validity of any other provision hereof.

Time of Essence. Time is of the essence with respect to the obligations to be performed under this Lease.

Additional Rent. All monetary obligations of Tenant to Landlord under the terms of this Lease, including but not limited to Tenant's Share of Operating Expense Increase and any other expenses payable by Tenant hereunder shall be deemed to be rent.

Prior Agreements; Amendments. This Lease contains all agreements of the parties with respect to any matter mentioned herein. No prior or contemporaneous agreement or understanding pertaining to any such matter, including but not limited to Letters of Intent, Proposals to Lease, and other documentation associated with the negotiation of this tenancy, shall be effective. This Lease may be modified in writing only, signed by the parties in interest at the time of the modification. Except as otherwise stated in this Lease, Tenant hereby acknowledges that no real estate broker on this transaction nor the Landlord or any employee or agents of any said persons has made any oral or written warranties or representations to Tenant relative to the condition or use by Tenant of the Premises or the Depot and Tenant acknowledges that Tenant assumes all responsibility regarding the legal use and adaptability of the Premises and the compliance thereof with all applicable laws and regulations in effect during the term of this Lease, including but not limited to the Occupational Safety Health Act and the Americans with Disabilities Act ("ADA"); However, Tenant shall not be responsible for ADA and/or CAL OSHA related requirements which may or may not have been addressed prior to the initiation of this Lease.

Notices. Any notice required or permitted to be given hereunder shall be in writing and may be given by personal delivery or by certified or registered mail, and shall be deemed sufficiently given if delivered or addressed to Tenant or to Landlord at the address noted in Section 1.17. Mailed notices shall be deemed given upon actual receipt at the address required, or forty-eight hours following deposit in the mail, postage prepaid, whichever first occurs. Either party may by notice to the other specify a different address for notice purposes. A copy of all notices required or permitted to be given to Landlord hereunder shall be concurrently transmitted to such party or parties at such addresses as Landlord may from time to time hereafter designate by notice to Tenant.

Waivers. No waiver by Landlord or any provision hereof shall be deemed a waiver of any other provision hereof or of any subsequent breach by Tenant of the same or any other provision. Landlord's consent to, or approval of, any act shall not be deemed to render unnecessary the obtaining of Landlord's consent to or approval of any subsequent act by Tenant. The acceptance of rent hereunder by Landlord shall not be a waiver of any preceding breach by Tenant of any provision hereof, other than the failure of Tenant to pay the particular rent so accepted, regardless of Landlord's knowledge of such preceding breach at the time of acceptance of such rent.

Cumulative Remedies. No remedy or election hereunder shall be deemed exclusive but shall, wherever possible, be cumulative with all other remedies at law or in equity.

Performance Under Protest. If at any time a dispute shall arise as to any amount or sum of money to be paid by one party to the other under the provisions hereof, the party against whom the obligation to pay the money is asserted shall have the right to make payment "under protest" and such payment shall not be regarded as a voluntary payment, and there shall survive the right on the part of said party to institute suit for recovery of such sum. If it shall be adjusted that there was no legal obligation on the part of said party to pay such sum or any part thereof, said party shall be entitled to recover such sum or so much thereof as if it was not legally required to pay under the provisions of this Lease.

Covenants and Conditions. Each provision of this Lease performable by Tenant shall be deemed both a covenant and a condition.

Binding Effect; Jurisdiction. This Lease shall bind the parties, their personal representatives, successors, and assigns. This Lease shall be governed by the laws of the State where the Depot is located and any litigation concerning this Lease between the parties hereto shall be initiated in the county in which the Depot is located.

Attorney's Fees. If either party brings an action to enforce the terms hereof or declare rights hereunder, the prevailing party in any such action, trial or appeal thereon, shall be entitled to his reasonable attorneys' fees to be paid by the losing party as fixed by the court in the same or a separate suit, and whether or not such action is pursued to decision or judgment. Landlord shall be entitled to reasonable attorneys' fees and all other costs and expenses incurred in the preparation and service of notice of default (including but not limited to notices required under the Unlawful Detainer statutes) and

consultations in connection therewith, whether or not a legal transaction is subsequently commenced in connection with such default. The costs, salary and expenses of the City Attorney and members of his office in enforcing this contract on behalf of the City of San Bernardino shall be considered as "attorney's fees" for the purposes of this paragraph".

Consents. Wherever in this Lease the consent of one party is required to an act of the other party such consent shall not be unreasonably withheld or delayed.

Guarantor. In the event that there is a guarantor of this Lease, said guarantor shall have the same obligations as Tenant under this Lease.

Authority. The individuals executing this Lease on behalf of the Landlord represent and warrant to Tenant that they are fully authorized and legally capable of executing this Lease on behalf of Landlord and that such execution is binding upon all parties holding an ownership interest in the Depot. If Tenant is a corporation, trust, or general or limited partnership, Tenant, and each individual executing this Lease on behalf of such entity represent and warrant that such individual is duly authorized to execute and deliver this Lease on behalf of such entity.

Conflict. Any conflict between the printed provisions, Exhibits, or Addenda of this Lease and the typewritten or handwritten provisions, if any, shall be controlled by the typewritten or handwritten provisions.

Multiple Parties. If more than one person or entity is named as either Landlord or Tenant herein, except as otherwise expressly provided herein, the obligations of the Landlord or Tenant herein shall be the joint and several responsibility of all persons or entities named herein as such Landlord or Tenant, respectively.

ATTACHMENTS:

Attached hereto are the following documents which constitute a part of this Lease:

- Exhibit "A" - Rules and Regulations**
- Exhibit "B" - [Intentionally omitted]**
- Exhibit "C" - Site Plan**

ADDITIONAL TERMS:

28. Condition of Premises. Tenant hereby accepts Premises in as-is condition, and any improvements or modifications to the Premises, if any, will be completed by Tenant at Tenant's sole cost and expense. Any improvement that would involve any structural modification or actual reconfiguration of the walls or ceiling must be approved by Landlord in advance. Any such work must be performed by a lawfully licensed and adequately insured contractor, and Tenant shall be required to obtain and comply with the necessary City permits. Notwithstanding the above, Tenant shall make improvements to the Premises, and in exchange, shall receive two (2) months of abated Rent and CAM Charges. Tenant is authorized to make the following improvements, subject to change and final approval by Tenant, so long as the value of such improvements performed by Tenant shall equate to a minimum of approximately \$6,224.00:

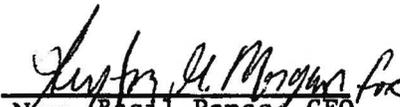
1. Demolish pony walls at two existing workstations, and purchase/install two new mobile cubicles;
2. Replace existing roll-up partition at the reception window with glass, and reinstall door at existing door opening in reception area;
3. Install interior window with etched/frosted glass at southeast office;
4. Add new lighting fixtures in corner office and above copier area;
5. Move or add telephone & data connections to serve new cubicles;
6. Install built-in room divider (location to be determined);
7. Install doorbell/buzzer inside the Premises reception area;
8. Replace carpeting with commercial grade carpet, repair drywall, and repaint interior walls.

LANDLORD AND TENANT HAVE CAREFULLY READ AND REVIEWED THIS LEASE AND EACH TERM AND PROVISION CONTAINED HEREIN AND, BY EXECUTION OF THIS LEASE, SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO. THE PARTIES HEREBY AGREE THAT, AT THE TIME THIS LEASE IS EXECUTED, THE TERMS OF THIS LEASE ARE COMMERCIALY REASONABLE AND EFFECTUATE THE INTENT AND PURPOSE OF LANDLORD AND TENANT WITH RESPECT TO THE PREMISES.

THIS LEASE HAS BEEN PREPARED FOR SUBMISSION TO YOUR ATTORNEY FOR APPROVAL. NO REPRESENTATION OR RECOMMENDATION IS MADE BY THE REAL ESTATE BROKERS, OR ANY OF THEIR AGENTS OR EMPLOYEES AS TO THE LEGAL SUFFICIENCY, LEGAL EFFECT, OR TAX CONSEQUENCES OF THIS LEASE OR THE TRANSACTION RELATING THERETO. THE PARTIES SHALL RELY SOLELY UPON THE ADVISE OF THEIR OWN LEGAL COUNSEL AS TO THE LEGAL AND TAX CONSEQUENCES OF THIS LEASE.

Southern California Association of Governments

SAN BERNARDINO ASSOCIATED GOVERNMENTS

By: 
Name Basil Panass CFO
Title

By: _____
Janice Rutherford
President, Board of Directors

Date: 4/22/13

Date: _____

APPROVED AS TO FORM

By: _____
Eileen Monaghan Teichert
General Counsel

CONCURRENCE

By: _____
Jeffery Hill
Contract Administrator

EXHIBIT "A"

RULES AND REGULATIONS

GENERAL RULES

1. Tenant shall not suffer or permit the obstruction of any Common Areas.
2. Landlord reserves the right to refuse access to any persons Landlord in good faith judges to be a threat to the safety, reputation, or property of the Depot or its occupants.
3. Tenant shall not make or permit any noise or odors that annoy or interfere with other Tenants or persons having business within the Depot.
4. Tenant shall not keep animals or birds within the Depot (unless a part of approved use as per Section 9 of this Lease), and shall not bring bicycles, motorcycles, or other vehicles into areas not designated as authorized for same.
5. Tenant shall not make, suffer, or permit litter except in appropriate receptacles for that purpose. All garbage and refuse shall be placed in containers designated for refuse collection, and such items must fit entirely within the receptacles. All large boxes and other refuse shall be broken down prior to placing in the containers. The outside areas immediately adjoining the Premises shall be kept clean and free from dirt and rubbish by Tenant to the satisfaction of Landlord.
6. Tenant shall not alter any exterior lock or install new or additional locks or bolts on exterior doors without providing Landlord copies of same.
7. Tenant shall not deface the walls, partitions, or other surfaces of the premises or the Depot.
8. Tenant shall not employ any service or contractor for services or work to be performed in the Building, except as approved by Landlord.
9. Tenant shall return all keys, including duplicates, at the termination of its tenancy and shall be responsible for the cost of replacing any keys that are lost.
10. No window coverings, shades, or awnings shall be installed or used by Tenant without Landlord's prior approval.
11. No Tenant, employee, or invitee shall go upon the roof of the Building without Landlord's prior approval.
12. Smoking shall be restricted to designated smoking areas, if any, and then not near, doors, windows, or other entrances, exits, or openings to other units within the Depot.
13. Tenant shall not install, maintain, or operate any vending machines upon the Premises without Landlord's written consent.
14. The premises shall not be used for lodging or manufacturing, cooking, or food preparation, except as an approved Use per Section 9 of this Lease.
15. Tenant shall comply with all safety, fire protection, and evacuation regulations established by Landlord or any applicable governmental agency.
16. Landlord reserves the right to waive any one of these rules or regulations, and/or as to any particular Tenant, and any such waiver shall not constitute a waiver of any other rule or regulation or any subsequent application thereof to such Tenant.
17. Tenant assumes all risks from theft or vandalism and agrees to keep its Premises locked as may be required.
18. Landlord reserves the right to make such other reasonable rules and regulations as it may from time to time deem necessary for the appropriate operation and safety of the Depot and its occupants. Tenant agrees to abide by these and such rules and regulations.
19. Signs shall conform to sign criteria established by Landlord and shall not exceed the quantity or dimensions authorized by Landlord. No signs (other than signs that strictly conform to sign criteria), placards, pictures, advertisements, names, or notices shall be inscribed, displayed, painted, or affixed on or to any part of the outside or inside of the Building or within the Common Areas of the Depot. Landlord shall have the right to remove any such non-conforming signs without notice to Tenant, at the expense of Tenant.
20. Tenant shall not disturb, solicit, or canvass any other Tenant within the Depot.
21. Tenant, its contractors, employers, or invitees, shall not loiter in the Common Areas of the Depot or in any way obstruct the entrances and driveways.
22. No antenna, aerial, discs, satellite dishes, or other such device shall be erected on the roof or exterior walls of the Building without Landlord's express consent.

PARKING RULES

1. Parking areas shall be used only for parking by vehicles no longer than full size, passenger automobiles, non-commercial pick-up trucks, and sport utility vehicles herein called "Permitted Size Vehicles". Vehicles other than Permitted Size Vehicles are herein referred to as "Oversized Vehicles".
2. Tenant shall not permit or allow any vehicles that belong to or are controlled by Tenant or Tenant's employees, suppliers, shippers, customers, or invitees to be loaded, unloaded, or parked in areas other than those designated by Landlord for such activities.
3. Parking stickers or identification devices shall be the property of Landlord and be returned to Landlord by the holder thereof upon termination of the holder's parking privileges. Tenant will pay such replacement charge as is reasonably established by Landlord for the loss of such devices.
4. Landlord reserves the right to refuse the sale or issuance of identification devices to any person or entity that willfully refuses to comply with the applicable rules, regulations, laws, and/or agreements.
5. Landlord reserves the right to relocate all or a part of parking spaces, and to reasonably allocate them between compact and standard size spaces, as long as the same complies with applicable laws, ordinances, and regulations.
6. Users of the parking area will obey all posted signs and park only in the areas designated for vehicle parking.
7. Unless otherwise instructed, every person using the parking area is required to park and lock his own vehicle. Landlord will not be responsible for any damage to vehicles, injury to persons, or loss of property, all of which risks are assumed by the party using the parking area. No overnight parking shall be permitted.

8. The maintenance, washing, waxing, or cleaning of vehicles in the parking structure or Common Areas is prohibited.

9. Tenant shall be responsible for seeing that all of its employees, agents, and invitees comply with the applicable parking rules, regulations, laws, and agreements.

10. Landlord reserves the right to modify these rules and/or adopt such other reasonable and non-discriminatory rules and regulations as it may deem necessary for the proper operation of the parking area.

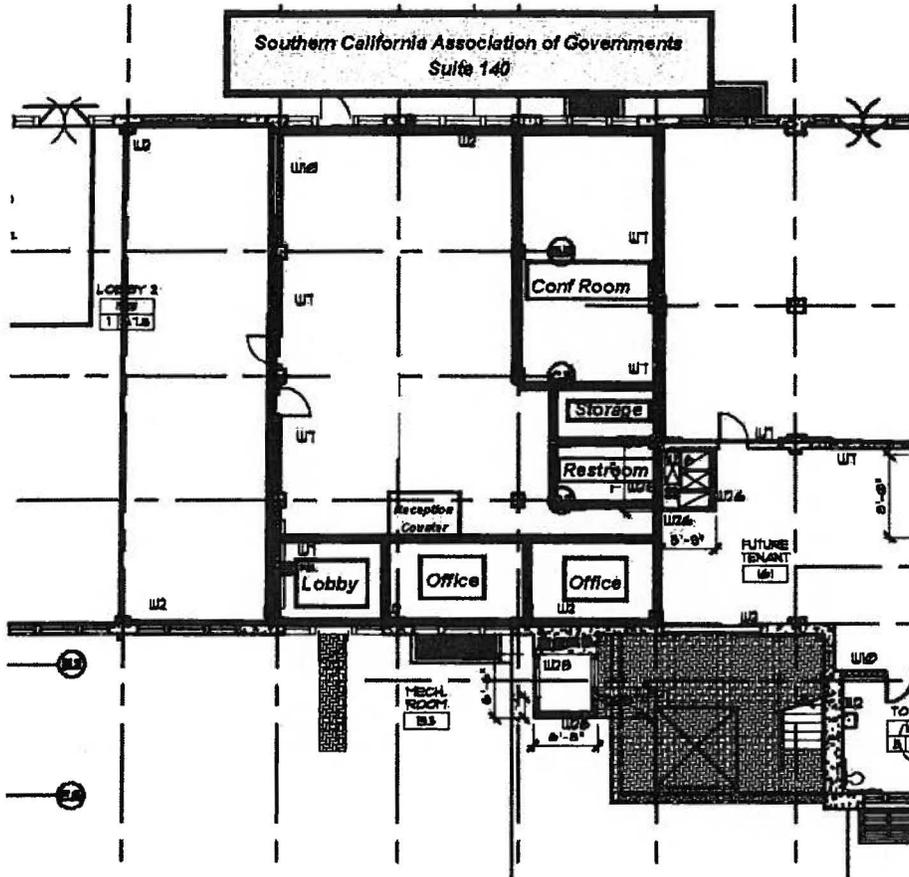
11. Such parking use as is herein provided is intended merely as a license only and no bailment is intended or shall be created hereby.

12. Violation of any of the parking rules or regulations may result, without notice, in the towing of any of Tenant's vehicles (or Tenant's employees, invitees, contractors, or visitors), the cost of which (including impound fees) shall be the sole responsibility of Tenant.

EXHIBIT "B"

[Intentionally omitted]

EXHIBIT "C"



Minute Action

AGENDA ITEM: 9

Date: May 8, 2013

Subject: Legislative Update

- Recommendation***
1. Receive Legislative Bill Matrix and adopt the following positions on State Legislation:
 - a. Support in Concept AB 268 (Holden, D-Pasadena)
 - b. Support AB 466 (Quirk-Silva, D-Fullerton)
 - c. Support AB 574 (Lowenthal, D-Long Beach)
 2. Receive summary of California Air Resources Board (CARB) draft Cap and Trade Investment Plan
 3. Receive Federal Update

Background: State Update

Staff continues to monitor bills shown in the Legislative Bill Matrix, Attachment #4, as they move through the legislative process. At this time, staff is recommending the following positions for consideration:

AB 268 (Holden, D-Pasadena) Metro Gold Line Extension
Recommend: Support in Concept

AB 268 was recently significantly amended to contain intent language to encourage the extension of the Gold Line to Ontario Airport, with stops in San Dimas, La Verne, Pomona, Claremont, and Montclair. The bill further reiterates the economic and transportation related benefits of any such extension and encourages continued cooperation on transportation projects such as the Gold Line that provide broad regional benefits.

Staff recommends that the Board of Directors adopt a "Support in Concept" position as an indication of support for regional cooperation regarding transit connections to Ontario Airport, as long as the connections are financially viable and consistent with the needs and vision of transit service in San Bernardino County. A Support in Concept position would not apply if the bill is later amended to mandate the funding of the extension by any particular funding source under the control of any local agency in any particular year.

This recommendation is consistent with SANBAG's 2013-2014 adopted State Legislative Platform under the provision, "SANBAG will advocate for a safe, funded, and growing rail system in Southern California." An analysis of this bill is included as Attachment #1.

AB 466 (Quirk-Silva, D-Fullerton) Federal Transportation Funds
Recommend: Support

AB 466 describes the process for allocating federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds in California. Previously, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) contained a set of weighted factors for the distribution of CMAQ funds to federal non-attainment and maintenance areas. When Moving Ahead for Progress in the 21st Century (MAP-21) was approved, these previously described formulas were not included in the federal bill and thus AB 466 is intended to memorialize the process that is currently used to allocate funds across the regions.

Staff's recommendation is consistent with SANBAG's 2013-2014 adopted State Legislative Platform under the provision, "Support legislation to provide funding for innovative, intelligent/advanced transportation, goods movement, demand management and air quality programs which relieve congestion, improve air quality and enhance economic development." An analysis of this bill is included as Attachment #2.

AB 574 (Lowenthal, D-Long Beach) California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: sustainable communities strategies
Recommend: Support

AB 574 is the vehicle for the cap and trade distribution proposal being advanced by the Transportation Coalition for Livable Communities (Coalition), of which SANBAG is a member. This proposal seeks to outline the distribution of cap and trade funding resulting from the expansion of the program to transportation fuels in 2015. As these funds are to be derived from transportation sources, AB 574 focuses the expenditure of these funds on transportation projects in sustainable communities strategies (SCS) that help meet the greenhouse gas (GHG) emission reduction goals of AB 32 (Chapter 488, Statutes of 2006) and SB 375 (Chapter 728, Statutes of 2008).

Staff recommends that the Board of Directors adopt a "Support" position once amendments are in print related to the distribution of funds in the Southern California Associated Governments (SCAG) region. This position is consistent

with the Cap and Trade principles adopted at the April 11, 2013 Board Meeting. An analysis of this bill is included as Attachment #3.

Other Bills of Interest

As previously reported, the Legislature continues to consider a number of bills related to the expanded use of high occupancy vehicle (HOV) lanes by alternative fuel vehicles and use of the lanes during non-peak hours.

Due to increased pressure by the Federal Highways Administration (FHWA) following the passage of MAP-21 provisions requiring states to evaluate the performance of their HOV system, the California Department of Transportation (Caltrans) is currently studying California's system. Should the report indicate deficiencies in the system, Caltrans will then have 180 days to respond to the report by either improving the performance of the lanes or risk future federal funding. Considering the 2009 Caltrans HOV/Express Lane Business Plan found that nearly 50 percent of the HOV lanes in the state experience periods of degradation in the peak hour according to the federal definition – meaning that average speeds of 45 mph speed or lower have been measured more than 10 percent of the time – the impacts of this study could be significant.

The three bills described below are currently moving through the legislative process and could further exacerbate this issue. Staff will continue to monitor the bills for impacts to our region's ability to manage congestion.

AB 266 (Blumenfield, D-San Fernando Valley) and SB 286 (Yee, D-San Francisco) would extend the timeframe for single-occupant users of certain low emission vehicles to ride in HOV lanes, as well as on specified high-occupancy toll lanes (HOT) free of charge. Although, both bills provide a process should FHWA determine the lanes are degraded, AB 266 further adds an additional criteria for consideration if these policies are to be reversed. This criteria states that these vehicles can only be removed from the HOV and HOT lanes if it has been demonstrated that the congestion cannot be alleviated by other means, including increased occupancy and tolling.

Currently, the designated decals for these vehicles expire on January 1, 2015. AB 266 and SB 286 would extend this date to January 1, 2018.

AB 405 (Gatto, D-Burbank) would prohibit any HOV lane from being established on State Route (SR) 134 between SR-170 and Interstate 5 or on SR-210 between SR-134 and SR-57 unless the facility is only operated as an HOV lane during peak hours. It also encourages Caltrans to examine the potential for this program to be extended to other freeways within Los Angeles County. However, AB 405

authorizes Caltrans, on or after May 1, 2015, to reinstate 24-hour HOV lanes on the specified portions of these routes if they determine that there is an adverse impact on safety, congestion or the environment.

Two additional bills of interest relate to proposed funding sources to assist the state with implementation of adopted SCS' pursuant to SB 375.

AB 431 (Mullin, D-San Mateo) seeks to provide Metropolitan Planning Organizations (MPOs) with the option of levying regional taxes for the purposes of achieving the goals of their approved SCS'. Under the bill, MPOs could place a measure before voters in multiple counties to fund transportation, affordable housing, parks, and open space. For the tax measure to pass, it would have to be approved by the required margin from all counties cumulatively voting on the ordinance. At this time, this bill is not expected to move forward in the 2013 legislative session due to concerns raised regarding a number of provisions in the bill.

AB 1002 (Bloom, D-Santa Monica) would impose a vehicle registration tax of \$6 for the purpose of implementing SCS related projects. These funds would be distributed 50% to cities and counties for bicycle and pedestrian projects, as well as safe routes to school projects; 40% to transportation agencies and transit operators for transit operations and reduced fare programs; and 10% to MPOs (such as SCAG) and transportation planning agencies for competitive grants to cities and counties for transit oriented development projects, complete streets, and bicycle and pedestrian projects.

Lastly, to follow up on previous Board actions, the SANBAG Board of Directors directed that staff work with the author on AB 749 (Gorell, R-Camarillo), related to public-private partnership authority in California. Specifically, SANBAG requested amendments to extend current authority to at least January 1, 2021, align the Public Infrastructure Advisory Commission's (PIAC) authority to the Legislature's authority as a commenting party rather than a project approval entity, and to more explicitly allow publicly operated facilities.

Staff has worked with the author's office to secure amendments that extend the sunset date to January 1, 2022, properly insert the PIAC as a commenting and advisory party rather than a project approval entity, and explicitly cover projects that could be operated by a public entity. The bill is expected to be heard in policy committee in late April.

Cap and Trade

The AB 32 Scoping Plan identifies the development of the Cap-and-Trade program as one of California's key strategies to reduce GHG emissions to 1990

levels by the year 2020, and ultimately achieving an 80% reduction from 1990 levels by 2050. The first Cap and Trade auctions for emissions allowances (equivalent to one metric ton of CO₂) were held in November 2012 and February 2013, as reported to SANBAG's Board of Directors at the April meeting. A third auction is currently scheduled to be held on May 16, 2013. As the auction proceeds are currently primarily generated from electricity and large industrial sources, the California Public Utilities Commission presently requires that the majority of auction proceeds received thus far are to be credited to consumers to offset projected utility rate increases. Transportation fuels, as well as other energy sources, will be included in the program beginning in 2015.

On April 16, 2013, the California Air Resources Board (CARB) released the draft Cap and Trade Investment Plan. The draft plan provides recommendations to the Legislature to help establish priorities for expenditure during the annual budget process. The goal of the draft plan was to provide for a reduction in GHG emissions while supporting investments in disadvantaged communities, enhancing job opportunities throughout the state, and providing incentives for the continued growth of the state's economy. The draft plan covers a three-year period from Fiscal Year (FY) 2013-2014 through 2015-2016. The plan must then be updated every three years with the release of the Governor's January budget.

On April 25, 2013, CARB held a public hearing in Sacramento to receive comments on the draft investment plan. Staff attended the hearing and will provide a verbal update to the committee. In May, the Governor will release the revised FY 2013-14 State Budget that will include proposed expenditures for auction proceeds and the Department of Finance (DOF) will submit a final Cap and Trade three-year investment plan to the Legislature. In June, the Legislature is scheduled to approve a budget trailer bill including an allocation plan for the FY 2013-2014 auction proceeds.

Since the transportation sector is the largest contributor of both GHGs and criteria air pollutants, the draft plan recognizes that investment is needed to implement the adopted SCS and support sustainable development efforts at the regional and local level. Several activities are considered to be essential including:

1. Support of the SCS development process at the regional level;
2. Development of local planning efforts to reflect each regional strategy; and
3. Implementation of specific projects at the local and regional levels to support the development of sustainable communities.

The plan also recognizes while there are many existing programs that provide incentives for transportation projects, the current level of funding is not sufficient

to meet the existing demand and support the large-scale deployment of alternative technologies in the long-term.

Examples of projects that are consistent with these priorities are:

- SCS implementation, such as: rail modernization and system integration (including high speed rail); public transit with connectivity to rail; expanded transit and ridership programs; infrastructure; livable communities and transit oriented development; and active transportation.
- Development and implementation of SCS plans.
- Low-carbon freight equipment and zero-emission passenger transportation, including the necessary fueling/charging infrastructure.

The California Environmental Protection Agency is responsible for identifying disadvantaged communities prior to submittal of the investment plan to the Legislature. Identification criteria may include, but are not limited to:

- Areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure or environmental degradation.
- Areas with concentrations of people that are of low income, high unemployment, low levels of homeownership, high rent burden, sensitive populations, or low levels of educational attainment.

The objectives of the auction proceeds include reducing the emissions of GHG that contribute to climate change, as well as cutting other forms of air pollution, particularly in disadvantaged communities.

In April, the SANBAG Board of Directors adopted principles pertaining to the Cap and Trade program. The draft Investment Plan addresses several of SANBAG's adopted principles, but lacks clarity on the following principles:

- Project funding determinations should be done primarily at the regional level reflecting each region's transportation funding structures under statewide criteria for evaluating GHG impacts. Criteria for project selection should be uniform statewide and developed by the State of California. Regions shall administer competitive funding processes and select projects based on these criteria.
- Create a performance-based approach to maximize regional flexibility with improved modeling and verification systems to ensure effective results.

Staff will work with stakeholder groups, including the Transportation Coalition for Livable Communities, to help include additional provisions in the final investment plan to address these issues.

Federal Update

In April, the House Transportation and Infrastructure Committee announced the creation of a six-month freight panel, "Panel on 21st Century Freight Transportation." The panel is tasked with examining the current state of freight transportation in the U.S. and how improving freight transportation can strengthen the economy. The members of the panel are as follows:

Chairman – John J. Duncan (R-TN)
Ranking Member – Jerrold Nadler (D-NY)
Corrine Brown (D-FL)
Rick Crawford (R-AR)
Janice Hahn (D-CA)
Richard Hanna (R-NY)
Daniel Lipinski (D-IL)
Gary Miller (R-CA)
Markwayne Mullin (R-OK)
Albio Sires (D-NJ)
Daniel Webster (R-FL)

The first hearing took place on April 24, 2013 and the witnesses included the Presidents/CEOs of FedEx, Norfolk Southern Corporation, South Carolina Ports Authority, Werner Enterprises, and the Transportation Trades Department of the AFL-CIO. Chairman Duncan noted at the start of the hearing that he has three priority issue areas- funding, delivering projects, and balancing resources between urban, suburban, and rural areas.

In general, the panel discussed the need for integration of the various infrastructure components that support goods movement, the need for additional regulatory streamlining to encourage private investment, issues impacting economic competitiveness, as well as the need for additional federal investment in goods movement infrastructure, including a potential increase in the gas tax.

As the Inland Empire's representative on the panel, Congressman Miller encouraged a corridor approach to the development of the Primary Freight Network under MAP-21, citing the I-10, SR-210, and SR-60 freeways as an example of how freight movement is impacting communities in areas where there are multiple potential routes. Mr. Miller also highlighted the importance of Colton Crossing and discussed the role that warehouses and distribution centers play in the nation's freight network.

The Panel has stated it will hold a field hearing in Los Angeles in the coming months. In six months, the panel will make policy recommendation to the rest of the Committee.

TIGER V

On April 22, 2013, the Department of Transportation (DOT) announced a new round of Transportation Investment Generating Economic Recovery (TIGER) grants. DOT has \$474 million to award for TIGER V and will be accepting applications through June 3, 2013, a shorter TIGER application period than has been seen previously. Since funding must be obligated by September 30, 2014, there will be a very high emphasis on “construction-ready” (environmental review completed) projects.

Successful applications are likely to highlight the significance of the TIGER grant to round out funding for the project, focus funding on projects of regional significance with significant benefits, and limit the TIGER request to \$10-15 million given the limited funds available for the program. Agencies may submit up to three applications for projects and note that any combined projects should be clearly related to one another.

Financial Impact: This item has no fiscal impact to the FY2012/2013 SANBAG Budget.

Reviewed By: This item is not scheduled for review by any other policy or technical advisory committee.

Responsible Staff: Wendy Strack, Director of Legislative Affairs



Bill Analysis

Bill Number: AB 268	Author: Holden (D-Pasadena)
Title: Transit: Metro Gold Line Extension	

Summary

AB 268 was recently significantly amended to contain intent language in order to encourage the extension of the Gold Line to Ontario Airport, with stops in San Dimas, La Verne, Pomona, Claremont, and Montclair. The bill further reiterates the economic and transportation related benefits of any such extension and encourages the impacted parties to continue to work together on transportation projects such as the Gold Line that provide broad regional benefits.

Impact on SANBAG

The Measure I Ten-Year Delivery Plan, adopted January 2012, contains funding for transit related expenditures over the first ten years of the measure for the San Bernardino Valley Subarea. This funding is allocated as follows: 8% for Metrolink/Rail Service, 8% for Senior and Disabled Transit Service, and 2% for Express Bus/BRT Service. Eligible projects within these sources could include Metrolink rolling stock, track capacity, and parking; Redlands Passenger Rail; the Gold Line extension to Montclair; development and operation of Senior and Disabled Transportation; as well as the development, implementation and operation of Express Bus/BRT service.

A process is currently underway to develop a strategy to allocate these funds across various potential projects as current local, state, and federal funding levels are insufficient to meet current and future transportation needs. In light of projected transit operations funding shortfalls in the coming years, SANBAG is unable to commit funding to an extension of the Gold Line into San Bernardino County, particularly given that the near-term funding priorities of the Los Angeles County Metropolitan Transportation Authority (Metro) do not include funding for the extension of this line beyond Azusa. Even if Measure J in Los Angeles had been approved in November 2012, funding for the Gold Line extension remained decades out. We understand the bill may be envisioned to inform conversations related to sales tax measures to be considered in the future.

Recommendation: SUPPORT IN CONCEPT

Staff recommends that the Board of Directors adopt a "Support in Concept" position as an indication of support for regional cooperation regarding transit connections to Ontario Airport, as long as the connections are financially viable and consistent with the needs and vision of transit service in San Bernardino County. A Support in Concept position would not apply if the bill is later amended to mandate the funding of the extension by any particular funding source under the control of any impacted local agency in any particular year.

Attachment #1

This recommendation is consistent with SANBAG's 2013-2014 adopted State Legislative Platform under the provision, "SANBAG will advocate for a safe, funded, and growing rail system in Southern California."

Bill History
Introduced: February 7, 2013
Amended: April 16, 2013
Current Disposition: Pending Committee Assignment
Hearing Date: N/A



Bill Analysis

Bill Number: AB 466	Author: Quirk-Silva (D-Fullerton)
Title: Federal Transportation Funds	

Summary

AB 466 describes the process for allocating federal Congestion Mitigation and Air Quality Program (CMAQ) funds in California. Previously, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) contained a set of weighted factors for the distribution of CMAQ funds to federal non-attainment and maintenance areas. When Moving Ahead for Progress in the 21st Century (MAP-21) was approved, this formula was not included in the federal bill, and thus AB 466 is intended to memorialize the process that is currently used to allocate funds to eligible agencies across the State.

In Fiscal Year 2012-2013, the existing formula was used to distribute the funds in order to avoid a loss of funds to California and to ensure that projects that were anticipating those funds were able to move forward. In order to provide for a process going forward that is appropriately captured in statute, AB 466 has been introduced.

Impact on SANBAG

As determined by policies set by the SANBAG Board of Directors, CMAQ funds are prioritized for use on regional programs, such as rideshare programs; the valley-wide signal synchronization program; transit capital; transit start-up operating expenses; and eligible highway and arterial uses, such as high occupancy vehicle lane additions and grade separations. SANBAG anticipated receiving CMAQ funds at historical levels as part of the development of the Measure I 10-Year Delivery Plan and related transit funding strategies. These plans anticipate using future CMAQ funds for the Interstate 10 Widening project, the Downtown San Bernardino Passenger Rail Project, and the Redlands Rail project. In order to keep the funding plans in place for these high priority projects, CMAQ funding levels must be maintained and predictable for future use.

Recommendation: SUPPORT

Staff recommends that the Board of Directors adopt a "Support" position, "Support legislation to provide funding for innovative, intelligent/advanced transportation, goods movement, demand management and air quality programs which relieve congestion, improve air quality and enhance economic development."

Bill History
Introduced: February 19, 2013
Amended: March 14, 2013
Current Disposition: Passed Assembly Transportation Committee, 16-0 Pending in the Assembly Appropriations Committee
Hearing Date: N/A



Bill Analysis

Bill Number: AB 574	Author: Lowenthal (D-Long Beach)
Title: California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: sustainable communities strategies	

Summary

AB 574 is the vehicle for the cap and trade distribution proposal being advanced by the Transportation Coalition for Livable Communities (Coalition), of which SANBAG is a member. This proposal seeks to focus the distribution of cap and trade funding resulting from the expansion of the program to transportation fuels in 2015. As these funds are being derived from transportation sources, AB 574 focuses the expenditure of these funds on transportation projects in sustainable communities strategies (SCS) that help meet the greenhouse gas emission reduction goals of AB 32 (Chapter 488, Statutes of 2006) and SB 375 (Chapter 728, Statutes of 2008).

Eligible projects under AB 574 include: transportation network and demand management; public transportation; road and bridge projects including maintenance, complete streets, bike/pedestrian projects, safe routes to schools and urban greening; clean transportation fueling infrastructure; multimodal connectivity; development of local land use plans; infrastructure related to transit oriented developments; and rail modernization.

To be considered for funding, these projects must, within the context of implementing the SCS, provide cost-effective and feasible results, combine investments to achieve additional co-benefits, and comply with requirements related to economically disadvantaged communities.

Impact on SANBAG

As transportation funds become increasingly over-subscribed, the processes for the distribution of potential new funding sources as well as considerations over project eligibility are a high priority for SANBAG in 2013. The broad set of eligible uses permitted for this funding source will allow potential revenues to flow to many of SANBAG's highest priority areas. The April 15th version of the bill does not include a recognition of the local funding structures in the Southern California Associated Governments (SCAG) region. However, the author has been working with SANBAG and other regional partners in order to include a fix with the next set of amendments. The region has agreed on language and the author has agreed to integrate that language. Once it is incorporated into the bill, AB 574 will meet the principles adopted by the SANBAG Board of Directors.

Recommendation: SUPPORT

Staff recommends that the Board of Directors adopt a "Support" position once amendments are in print related to the distribution of funds in the SCAG region. This position is consistent with the Cap and Trade principles adopted at the April 11, 2013 Board Meeting.

Attachment #3

Bill History
Introduced: February 20, 2013
Amended: April 15, 2013
Current Disposition: Passed Assembly Transportation Committee 12-4 Pending in the Assembly Natural Resources Committee
Hearing Date: April 29, 2013

Attachment # 4
Bill Matrix

CA AB 5

AUTHOR: Ammiano (D)
TITLE: Homelessness
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/03/2012
LAST AMEND: 04/08/2013
DISPOSITION: Pending
LOCATION: Assembly Second Reading File
SUMMARY: Enacts the Homeless Person's Bill of Rights and Fairness Act. Provides that no person's rights, privileges, or access to public services may be denied or abridged because he or she is homeless, has a low income, or suffers from a mental illness or physical disability. Provides immunity from employer retaliation for assisting a homeless person. Provides judicial relief and imposes civil penalties for a violation. Prohibits discrimination regarding emergency and nonemergency health services.
STATUS: 04/23/2013 From ASSEMBLY Committee on JUDICIARY: Do pass as amended to Committee on APPROPRIATIONS. (7-3)

CA AB 8

AUTHOR: Perea (D)
TITLE: Alternative Fuel: Vehicle Technologies: Funding Program
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 12/03/2012
DISPOSITION: Pending
COMMITTEE: Assembly Natural Resources Committee
HEARING: 05/06/2013 1:30 pm, Room 447
SUMMARY: Provides the State Air Resources Board has no authority to enforce any element of its existing clean fuels outlet regulation or other regulation that requires or has the effect of requiring any person to construct, operate, or provide funding for the construction or operation of any publicly available hydrogen fueling station. Requires the public disclosure of the number of vehicles sold or leased. Requires grants and loans for a sufficient hydrogen fueling network. Extends a vehicle registration charge.
STATUS: 04/08/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on NATURAL RESOURCES. (10-3)

CA AB 14

AUTHOR: Lowenthal B (D)
TITLE: State Freight Plan
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/03/2012
DISPOSITION: Pending
COMMITTEE: Assembly Transportation Committee
HEARING: 04/29/2013 1:30 pm, Room 4202

Attachment # 4

SUMMARY: Requires the Business, Transportation and Housing Agency to prepare a state freight plan with specified elements to govern the immediate and long-range planning activities and capital investments of the state with respect to the movement of freight. Requires the agency to establish a freight advisory committee.

STATUS: 01/14/2013 To ASSEMBLY Committee on TRANSPORTATION.

CA AB 21

AUTHOR: Alejo (D)
TITLE: Safe Drinking Water Small Community Grant Fund
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/03/2012
LAST AMEND: 02/14/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee

SUMMARY: Authorizes the assessment of a specified annual charge in lieu of interest on loans for water projects made pursuant to the Safe Drinking Water State Revolving Fund, and the deposit of that money into the Safe Drinking Water State Small Community Emergency Grant Fund. Authorizes the expending of the money in the fund for grants for specified water projects that serve disadvantaged and severely disadvantaged communities.

STATUS: 04/10/2013 In ASSEMBLY Committee on APPROPRIATIONS: To Suspend File.

CA AB 29

AUTHOR: Williams (D)
TITLE: Proposition 39: Implementation
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/03/2012
LAST AMEND: 04/23/2013
DISPOSITION: Pending
LOCATION: Assembly Utilities and Commerce Committee

SUMMARY: Requires the State Energy Commission to administer grants, loans, or other financial assistance to the University of California, California State University, and the California Community Colleges for projects that create jobs in the state by reducing energy demand and consumption at eligible universities. Provides that each fiscal year that funding be available from the Clean Energy Job Creation Fund for purposes of this legislation.

STATUS: 04/23/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND COMMERCE.

CA AB 39

AUTHOR: Skinner (D)
TITLE: Proposition 39: Implementation
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/03/2012
LAST AMEND: 04/24/2013

Attachment # 4

DISPOSITION: Pending
COMMITTEE: Assembly Utilities and Commerce Committee
HEARING: 04/29/2013 3:00 pm, Room 437
SUMMARY: Requires the State Energy Resources Conservation and Development Commission to administer grants, loans, or other financial assistance to an eligible institution that provides instruction kindergarten or grades 1 to 12, inclusive, or a community college for the purposes of eligible projects that create jobs in the state by reducing energy demand and consumption by eligible institutions. Provides the percentage of funds in the Job Creation to be used for such grants and the remainder for specified projects.
04/24/2013 From ASSEMBLY Committee on UTILITIES AND COMMERCE with author's amendments.
STATUS: 04/24/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND COMMERCE.

CA AB 70

AUTHOR: Morrell (R)
TITLE: Budget Bill: Public Availability
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/10/2013
LAST AMEND: 04/09/2013
DISPOSITION: Pending
LOCATION: Assembly Budget Subcommittee #6, Budget Process, Oversight & Program Evaluation
SUMMARY: Provides that a vote shall be taken in either house of the Legislature on the Budget Bill or and other bill providing for appropriations related to the Budget Bill, as defined in the Constitution, until the bill has been made available to the public for 3 days on a publicly available Internet Web site.
04/09/2013 From ASSEMBLY Committee on BUDGET with author's amendments.
STATUS: 04/09/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on BUDGET.

CA AB 114

AUTHOR: Salas (D)
TITLE: Proposition 39: Implementation: Workforce Development
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/14/2013
LAST AMEND: 04/23/2013
DISPOSITION: Pending
COMMITTEE: Assembly Utilities and Commerce Committee
HEARING: 04/29/2013 3:00 pm, Room 437
SUMMARY: Requires the Labor and Workforce Development Agency to develop and implement the Clean Energy Jobs and Workforce Development Program to award grants for projects to provide job training on energy efficiency and clean energy projects that are located in economically disadvantaged communities. Requires a review and evaluation of the program and to develop improvement solutions. Provides for a specified percentage of the Clean Energy Job Creation Fund be made available for purposes of providing grants.
STATUS: 04/23/2013 In ASSEMBLY. Read second time and amended. Re-referred to

Attachment # 4
Committee on UTILITIES AND COMMERCE.

CA AB 115

AUTHOR: Perea (D)
TITLE: Safe Drinking Water State Revolving Fund
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: no
INTRODUCED: 01/14/2013
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY: Relates to the state Safe Drinking Water Act. Authorizes the Department of Public Health to fund projects by grant or loan where multiple water systems apply for funding as a single applicant for the purpose of consolidating water systems or extending services to households relying on private wells. Authorizes funding of a project to benefit a disadvantaged community.
STATUS: 04/18/2013 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (76-0)

CA AB 153

AUTHOR: Bonilla (D)
TITLE: Global Warming Solutions Act of 2006: Offsets
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: no
INTRODUCED: 01/18/2013
LAST AMEND: 04/08/2013
DISPOSITION: Pending
COMMITTEE: Assembly Natural Resources Committee
HEARING: 04/29/2013 1:30 pm, Room 447
SUMMARY: Amends the Global Warming Solutions Act of 2006. Requires the State Air Resources Board to adopt a specified process for the review and consideration of new offset protocols for reducing greenhouse gases and, commencing in 2014 and continuing thereafter, use that process to review and consider new offset protocols. Requires the board to adopt guidelines and incentives that prioritize the approval of specified offset protocols. Requires the board to submit a specified annual report to the Legislature.
STATUS: 04/08/2013 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.
04/08/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

CA AB 160

AUTHOR: Alejo (D)
TITLE: Public Employees' Pension Reform Act: Exceptions
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: no
INTRODUCED: 01/22/2013
LAST AMEND: 04/11/2013
DISPOSITION: Pending

Attachment # 4

LOCATION: Assembly Appropriations Committee
Excepts from the Public Employees' Pension Reform Act of 2013 certain multiemployer plans authorized under federal law and retirement plans for public employees whose collective bargaining rights are protected by a specified provision of federal law if a federal agency determines a conflict with federal law. Excludes from the definition of a supplemental defined benefit plan for purposes of a prohibition in the Act, a multiemployer plan, pursuant to a collective bargaining or similar agreement.

SUMMARY: 04/24/2013 From ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY: Do pass to Committee on APPROPRIATIONS. (5-2)

STATUS:

CA AB 164

AUTHOR: Wieckowski (D)
TITLE: Infrastructure Financing
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 01/23/2013
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 05/01/2013 1:30 pm, Room 447

SUMMARY: Requires a lease agreement between a governmental agency undertaking an infrastructure project and a private entity to include performance bonds as security to ensure the completion of the construction of the facility and payment bonds to secure the payment of claims of laborers, mechanics, and material men employed on the work under contract.

STATUS: 01/31/2013 To ASSEMBLY Committee on LOCAL GOVERNMENT.

CA AB 179

AUTHOR: Bocanegra (D)
TITLE: Electronic Transit Fare Collection Systems
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/24/2013
LAST AMEND: 04/24/2013
DISPOSITION: Pending
LOCATION: Assembly Judiciary Committee

SUMMARY: Makes provisions of existing law applicable to a transportation agency that employs an electronic transit fare collection system for payment of transit fares. Requires transportation agencies that obtain personally identifiable information of a person from electronic toll collection or electronic transit fare collection systems to discard that information after 6 months.

STATUS: 04/24/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.

CA AB 193

AUTHOR: Logue (R)
TITLE: Municipal Ballot Measures: Arguments
FISCAL COMMITTEE: yes
URGENCY no

Attachment # 4

CLAUSE:
INTRODUCED: 01/28/2013
LAST AMEND: 04/16/2013
DISPOSITION: Pending
LOCATION: Assembly Second Reading File
SUMMARY: Requires the city elections official to extend the deadline for submission of arguments relating to a city ballot measure by one calendar day if an argument in favor of or against a city measure is not submitted by the deadline fixed by the official. Requires that official, if the deadline is extended, to immediately issue a press release requesting that arguments for or against the measure, or both, be submitted by the extended deadline.
04/23/2013 From ASSEMBLY Committee on ELECTIONS AND
STATUS: REDISTRICTING: Do pass as amended to Committee on APPROPRIATIONS. (5-0)

CA AB 195

AUTHOR: Hall (D)
TITLE: Counties: Construction Projects: Design-Build
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/28/2013
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 05/01/2013 1:30 pm, Room 447
SUMMARY: Extends provisions of existing law that authorizes counties to use alternative procedures, known as design-build, for bidding on specified types of construction projects in the county in excess of a specified amount, in accordance with specified procedures, and provides that the procedures include a requirement for contracts awarded after a certain date that a county board of supervisors pay a fee into the State Public Works Enforcement Fund.
STATUS: 02/07/2013 To ASSEMBLY Committee on LOCAL GOVERNMENT.

CA AB 204

AUTHOR: Wilk (R)
TITLE: Vehicles: Green Vehicles: Fees
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 01/30/2013
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY: Expresses the intent of the Legislature to enact legislation to impose a fee in conjunction with registration on green vehicles to address the costs of those vehicles using public roads and highways.
STATUS: 01/30/2013 INTRODUCED.

CA AB 205

AUTHOR: Pan (D)
TITLE: Public Employees' Retirement: Pension Fund
FISCAL COMMITTEE: no

Attachment # 4

URGENCY no
CLAUSE:
INTRODUCED: 01/30/2013
DISPOSITION: Pending
COMMITTEE: Assembly Public Employees, Retirement and Social Security Committee
HEARING: 05/08/2013 10:00 am, Room 444
SUMMARY: Extends the authorization to prioritize investment in an in-state infrastructure project to the board of retirement or the board of investments of a retirement system established pursuant to the County Employees Retirement Law of 1937.
STATUS: 02/07/2013 To ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.

CA AB 229

AUTHOR: Perez J (D)
TITLE: Infrastructure and Revitalization Financing Districts
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: no
INTRODUCED: 02/04/2013
LAST AMEND: 04/08/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY: Authorizes the creation of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes the creation of a district for up to 40 years and the issuance of debt with a final maturity date of up to 30 years. Authorizes a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases.
STATUS: 04/17/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS. (8-1)

CA AB 243

AUTHOR: Dickinson (D)
TITLE: Local Government: Infrastructure Financing Districts
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: no
INTRODUCED: 02/06/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY: Authorizes the creation of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases if special conditions are met. Authorizes a district to fund various projects, including watershed land used for the collection and treatment of water for urban uses, flood management, open space, habitat restoration and development purposes.
STATUS: 04/17/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS. (6-3)

Attachment # 4

CA AB 250

AUTHOR: Holden (D)
TITLE: State Innovation Initiatives
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/06/2013
LAST AMEND: 04/18/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY: Creates the State Innovation Hub Program, which requires the Governor's Office of Business and Economic Development to designate Innovation Hubs. Authorizes the office to use vacant or underused state-owned or leased property that is controlled by the Department of General Services. Authorizes specified state property, when authorized by law, to be used as matching funds to meet federal funding requirements. Requires the office to issue a request for proposals. Relates to iHub partnerships.
STATUS: 04/18/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

CA AB 266

AUTHOR: Blumenfield (D)
TITLE: Vehicles: High-Occupancy Vehicle Lanes
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/07/2013
LAST AMEND: 04/09/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY: Extends the operation of existing law that authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles, which lanes may also be used by certain low-emission or alternative fuel vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane for certain low-emission vehicles, and extends those provisions for other specified low-emission vehicles or, in either case, until a specified notice is received.
STATUS: 04/15/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (12-3)

CA AB 284

AUTHOR: Quirk (D)
TITLE: Energy: Road to 2050 Board
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/11/2013
LAST AMEND: 04/24/2013
DISPOSITION: Pending
COMMITTEE: Assembly Utilities and Commerce Committee
HEARING: 04/29/2013 3:00 pm, Room 437
SUMMARY: Requires the State Energy Resources Conservation and Development Commission to

Attachment # 4

convene the Road to 2050 Board. Requires the board to contract with an independent research group to undertake specified studies regarding the achievement of a goal of reducing greenhouse gas emissions by 80% of the 1990 emissions level by 2050. Requires the board to prepare and adopt a related report that includes specified information to provide guidance for key infrastructure decision making in regards to meeting the goal.

STATUS: 04/24/2013 From ASSEMBLY Committee on UTILITIES AND COMMERCE with author's amendments.
 04/24/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND COMMERCE.

CA AB 289

AUTHOR: Nestande (R)
TITLE: State Budget: Key Liabilities
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/11/2013
DISPOSITION: Pending
LOCATION: Assembly Budget Subcommittee #6, Budget Process, Oversight & Program Evaluation
SUMMARY: Requires the Governor, or the Department of Finance acting on his or her behalf, at the time the Governor's Budget is submitted to the Legislature, to submit specified information to the Legislature, including a list of the state's key liabilities relating to debt, infrastructure, retirement, and other liabilities that will affect the state's financial health in the future.
STATUS: 02/21/2013 To ASSEMBLY Committee on BUDGET.

CA AB 294

AUTHOR: Holden (D)
TITLE: Local-State Joint Investment Partnership Program
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/11/2013
LAST AMEND: 04/23/2013
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 05/01/2013 1:30 pm, Room 447
SUMMARY: Establishes a pilot program whereby certain local government entities, upon the approval and oversight of the Infrastructure and Economic Development Bank, are authorized to reallocate their annual payments of property tax revenue directed to the Educational Revenue Augmentation Fund to instead finance certain kinds of public works that further state policy. Requires each entity operating a project under the program and the bank to submit reports on program results.
STATUS: 04/23/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.
 04/23/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

CA AB 317

AUTHOR: Hall (D)
TITLE: Transportation: State Highways
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/12/2013
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY: Makes a nonsubstantive change to provisions requiring the Transportation Commission to program interregional and regional transportation capital improvement projects through the State Transportation Improvement Program process.
STATUS: 02/12/2013 INTRODUCED.

CA AB 337

AUTHOR: Allen T (R)
TITLE: Economic Development: International Trade: Investments
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/13/2013
LAST AMEND: 03/19/2013
DISPOSITION: Pending
LOCATION: Assembly Jobs, Economic Development, and The Economy Committee
SUMMARY: Relates to economic development, international trade, investments and strategies for trade and investments. Requires a strategy to include an evaluation of the ports of entry to the state and their capacity for handling international trade, including industrial and postconsumer secondary material, originating from or destined for other states.
STATUS: 03/19/2013 To ASSEMBLY Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY.
 03/19/2013 From ASSEMBLY Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY with author's amendments.
 03/19/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY.

CA AB 380

AUTHOR: Dickinson (D)
TITLE: California Environmental Quality Act: Notice
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/14/2013
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 05/01/2013 1:30 pm, Room 447
SUMMARY: Amends the California Environmental Quality Act. Requires that notices regarding environmental impact reports filed by lead agencies need to be filed with the Office of Planning and Research and the county clerk and posted by that clerk for public review. Provides additional duties regarding that notice by the Office and the county clerk.

Attachment # 4

Provides notice requirements for projects that are determined to be exempted from the Act.

STATUS: 04/01/2013 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on LOCAL GOVERNMENT. (6-2)

CA AB 392

AUTHOR: Jones-Sawyer (D)
TITLE: State Mandates: Prorated Claims
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/15/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee

SUMMARY: Amends existing law requiring the Controller to prorate mandated claims, including school claims, if the amount appropriated for reimbursement is not sufficient to pay all of the claims approved by the Controller, and requiring the controller to report to the Department of Finance when it is necessary to prorate claims. Deletes that reporting requirement. Requires the Controller to determine the most cost-effective allocation method if a specified amount is appropriated.

STATUS: 04/10/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS. (9-0)

CA AB 405

AUTHOR: Gatto (D)
TITLE: High-Occupancy Vehicle Lanes: County of Los Angeles
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/15/2013
LAST AMEND: 04/18/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee

SUMMARY: Prohibits the establishment of any high-occupancy land on specified state highway routes in the County of Los Angeles, unless the lane is established as such land only during the hours of heavy commuter traffic. Requires any such lane to be modified to conform to those requirements. Authorizes the Department of Transportation to reinstate 24-hour high-occupancy vehicle lanes on the specified portions of these routes if the department makes a specified determination. Requires a related report.

04/18/2013 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments.
STATUS: 04/18/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

CA AB 416

AUTHOR: Gordon (D)
TITLE: Local Emission Reduction Program
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no

Attachment # 4

INTRODUCED: 02/15/2013
LAST AMEND: 04/04/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY: Creates the Local Emission Reduction Program and requires money to be available from the general fund for providing grants and other financial assistance to develop and implement greenhouse gas emissions reduction projects in the state, giving consideration to the ability of a project to create local job training and job creation benefits and achieve greenhouse gas emissions reduction. Provides the public entities that will be required to administer the program.
STATUS: 04/10/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS. (7-2)

CA AB 417

AUTHOR: Frazier (D)
TITLE: California Environmental Quality Act
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/15/2013
LAST AMEND: 04/18/2013
DISPOSITION: Pending
FILE: 53
LOCATION: Assembly Third Reading File
SUMMARY: Exempts from the California Environmental Quality Act a bicycle transportation plan for an urbanized area. Requires a local agency that determines that the bicycle transportation plan is exempt under this provision and approves or determines to carry out that project, to file notice of the determination with the county clerk.
STATUS: 04/22/2013 In ASSEMBLY. Read second time. To third reading.

CA AB 431

AUTHOR: Mullin (D)
TITLE: Transportation: Sustainable Communities: Funding
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/15/2013
LAST AMEND: 04/15/2013
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
SUMMARY: Authorizes a transportation planning agency that is designated as a metropolitan planning organization to impose a transactions and use tax at a rate that is no more than a specified percentage, if certain requirements are met. Require a related ordinance to contain a specified expenditure plan to be spent on each of three categories of transportation, affordable housing, and parks and open space, with remaining net revenues to be spent to attain sustainable communities strategy.
STATUS: 04/15/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

CA AB 441

AUTHOR: Patterson (R)
TITLE: High-Speed Rail Authority: Contracts
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/19/2013
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
 Relates to the High-Speed Rail Authority. Requires the Authority to provide a copy of each contract entered into by the authority if the dollar value of the goods or services to be provided or performed under the contract is a specified amount of more, as well as a copy of each contract amendment and contract change order agreed to by the Authority for a specified amount or more.
SUMMARY:
STATUS: 02/28/2013 To ASSEMBLY Committee on TRANSPORTATION.

CA AB 463

AUTHOR: Logue (R)
TITLE: High-Speed Rail Authority: Contracts
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/19/2013
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
 Relates to the High-Speed Rail Authority. Requires the authority to provide a copy of each contract entered into by the Authority if the dollar value of the goods or services to be provided or performed is a specified amount as well as a copy of each contract amendment and contract change order agreed to by the Authority for a specified amount or more.
SUMMARY:
STATUS: 04/15/2013 In ASSEMBLY Committee on TRANSPORTATION: Not heard.

CA AB 466

AUTHOR: Quirk-Silva (D)
TITLE: Federal Transportation Funds
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/19/2013
LAST AMEND: 03/14/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
 Requires the Department of Transportation to allocate federal transportation funds to regional agencies under the federal Congestion Mitigation and Air Quality Improvement Program based on a weighted formula that considers population and pollution in a given area.
SUMMARY:
STATUS: 04/15/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (16-0)

CA AB 481

AUTHOR: Lowenthal B (D)
TITLE: High-Speed Rail.
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/19/2013
LAST AMEND: 04/01/2013
DISPOSITION: Pending
COMMITTEE: Assembly Accountability and Administrative Review Committee
HEARING: 05/01/2013 9:00 am, Room 437
SUMMARY: Enacts exceptions and authorizations relative to real property obtained for high-speed rail purposes by the High-Speed Rail Authority. Enacts new provisions governing acquisition or disposal of right-of-way property by the authority. Requires payments for leases or other conveyances of property controlled by the authority to be deposited in the High-Speed Rail Property Fund created by the bill, and would provide that the funds shall be available to the authority upon appropriation for specified purposes.
STATUS: 04/08/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on ACCOUNTABILITY AND ADMINSTRATIVE REVIEW. (11-5)

CA AB 493

AUTHOR: Daly (D)
TITLE: Toll Facilities
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/20/2013
LAST AMEND: 04/17/2013
DISPOSITION: Pending
FILE: 39
LOCATION: Assembly Third Reading File
SUMMARY: Authorizes operators of toll facilities on federal-aid highways to fully implement technologies or business practices that provide for the interoperability of electronic toll collection programs on and after the date specified in the Moving Ahead for Progress in the 21st Century Act. Limits the information that may be disclosed through participation in an interoperability program.
STATUS: 04/18/2013 In ASSEMBLY. Read second time. To third reading.

CA AB 515

AUTHOR: Dickinson (D)
TITLE: California Environmental Quality Act: Judicial Review
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/20/2013
LAST AMEND: 03/11/2013
DISPOSITION: Pending
LOCATION: Assembly Judiciary Committee
SUMMARY: Establishes a CEQA Compliance Division of the Superior Court in a county in which the

Attachment # 4

Attorney General maintains an office. Provides the division with original jurisdiction over actions of proceedings brought pursuant to the CEQA and matters related to land use and environmental laws. Provides decisions of the division may be reviewed by way of a petition for an extraordinary writ. Provides the contents of a writ if a public agency is found to be in error and what action the agency must take to comply.

STATUS: 04/23/2013 In ASSEMBLY Committee on JUDICIARY: Not heard.

CA AB 528

AUTHOR: Lowenthal B (D)
TITLE: State Rail Plan: High-Speed Rail Authority
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/20/2013
LAST AMEND: 04/16/2013
DISPOSITION: Pending
FILE: 7
LOCATION: Assembly Second Reading File

SUMMARY: Revises and recasts certain items required to be in the elements of the State Rail Plan. Eliminates the current timeframe for the plan. Changes the date by which the High-Speed Rail Authority is required to prepare, publish, adopt, and submit to the Legislature the business plan. Makes changes in the business plan. Repeals provisions regarding the identification of specified areas or conditions, and costs of specified types of service improvements needed.

STATUS: 04/22/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass as amended to Committee on APPROPRIATIONS. (14-2)

CA AB 564

AUTHOR: Mullin (D)
TITLE: Community Redevelopment: Successor Agencies
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/20/2013
LAST AMEND: 03/12/2013
DISPOSITION: Pending
LOCATION: Assembly Housing and Community Development Committee

SUMMARY: Amends existing law that dissolved redevelopment agencies and community development agencies and provides for the designation of successor agencies. Prohibits the Department of Finance from taking any future action to modify the enforceable obligations described in existing law following the effective date of the approval of those obligations after review by an oversight board and the department, and from taking action to modify the transfer of property, if the transfer is in an approved transfer plan.

STATUS: 04/24/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on HOUSING AND COMMUNITY DEVELOPMENT.

CA AB 574

AUTHOR: Lowenthal B (D)
TITLE: Greenhouse Gas Reduction Fund: Sustainable Communities
FISCAL COMMITTEE: yes

Attachment # 4

URGENCY no
CLAUSE:
INTRODUCED: 02/20/2013
LAST AMEND: 04/15/2013
DISPOSITION: Pending
COMMITTEE: Assembly Natural Resources Committee
HEARING: 04/29/2013 1:30 pm, Room 447
SUMMARY: Requires the State Air Resources Board to establish standards for the use of moneys allocated in the Greenhouse Gas Reduction Fund for sustainable communities projects. Requires the board to establish the criteria for the development and implementation of regional grant programs. Requires the State Transportation Commission to designate the regional granting authority within each region of the state to administer the allocated moneys for regional grant programs.
STATUS: 04/22/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on NATURAL RESOURCES. (12-4)

CA AB 587

AUTHOR: Fox (D)
TITLE: Economic Development: Enterprise Zones
FISCAL
COMMITTEE: no
URGENCY
CLAUSE: no
INTRODUCED: 02/20/2013
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY: Makes a technical, nonsubstantive change to a provision of the Enterprise Zone Act regarding redesignation of a targeted employment area.
STATUS: 02/20/2013 INTRODUCED.

CA AB 603

AUTHOR: Cooley (D)
TITLE: Public Contracts: Design-Build: Capitol Connector
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: no
INTRODUCED: 02/20/2013
LAST AMEND: 04/16/2013
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
SUMMARY: Authorizes the Capitol Southeast Connector Joint Powers Authority to utilize the design-build procurement for the Southwest Connector Project in Sacramento County, subject to authorization. Requires a transportation entity awarding a contract for a public works project, to reimburse the Department of Industrial Relations for cost of performing prevailing wage monitoring and enforcement of public works project. Requires the moneys to be deposited in a specified fund.
STATUS: 04/22/2013 In ASSEMBLY Committee on TRANSPORTATION: Not heard.

CA AB 662

AUTHOR: Atkins (D)
TITLE: Local Government: Infrastructure Financing Districts
FISCAL no

Attachment # 4

COMMITTEE:
URGENCY
CLAUSE: no
INTRODUCED: 02/21/2013
DISPOSITION: Pending
FILE: 102
LOCATION: Assembly Consent Calendar - Second Legislative Day
SUMMARY: Amends existing law that authorizes the creation of infrastructure financing districts and prohibits such district from including any portion of a redevelopment project area. Deletes that prohibition on infrastructure financing districts including any portion of a redevelopment project area.
STATUS: 04/22/2013 In ASSEMBLY. Read second time. To Consent Calendar.

CA AB 668

AUTHOR: Gray (D)
TITLE: Economic Disaster Area
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: no
INTRODUCED: 02/21/2013
DISPOSITION: Pending
LOCATION: Assembly Jobs, Economic Development, and The Economy Committee
SUMMARY: Requires any county or city and county with a specified unemployment rate for a specified period to be declared an economic disaster area and to receive priority consideration when the state is making a determination on where to expend state funds with respect to any state contract or award, public works project, bond-financed project, acquisition of real estate, or capital project.
STATUS: 03/04/2013 To ASSEMBLY Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY.

CA AB 690

AUTHOR: Campos (D)
TITLE: Jobs and Infrastructure Financing Districts
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: no
INTRODUCED: 02/21/2013
LAST AMEND: 04/09/2013
DISPOSITION: Pending
LOCATION: Assembly Local Government Committee
SUMMARY: Revises and recasts the provisions governing infrastructure financing districts. Provides for the creation of jobs and infrastructure financing districts without voter approval. Makes various conforming changes. Authorizes a public financing authority to enter into joint powers agreements with affected taxing entities with regard to nontaxing authority or powers only. Authorizes a district to implement hazardous cleanup under the Polanco Redevelopment Act.
STATUS: 04/09/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.
04/09/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

CA AB 701

AUTHOR: Perez J (D)
TITLE: California Infrastructure and Economic Development Bank
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY: Relates to the Infrastructure and Economic Development Bank and board of directors. Adds a Member of the Assembly and a Member of the Senate as advisory members of the board. Requires the bank to serve as the primary state agency for purposes of developing an application for any federal infrastructure bank or financing authority. Incorporates additional changes made by the Governor's Reorganization Plan No. 2 of 2012.
STATUS: 04/22/2013 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (54-24)

CA AB 745

AUTHOR: Levine (D)
TITLE: Land Use: Housing Element
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
DISPOSITION: Pending
LOCATION: Assembly Housing and Community Development Committee
SUMMARY: Amends the Planning and Zoning Law. Authorizes a city or county to request the appropriate council of governments to adjust a density to be deemed appropriate if it is inconsistent with city's or county's existing density.
STATUS: 03/04/2013 To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and LOCAL GOVERNMENT.

CA AB 749

AUTHOR: Gorell (R)
TITLE: Public-Private Partnerships
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
LAST AMEND: 04/11/2013
DISPOSITION: Pending
COMMITTEE: Assembly Transportation Committee
HEARING: 04/29/2013 1:30 pm, Room 4202
SUMMARY: Amends existing law that authorizes the State Department of Transportation and regional transportation agencies to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users tolls and user fees and calls those arrangements public-private partnerships. States the intent of the Legislature for a project developed under these provisions to have specified characteristics.

Attachment # 4

04/11/2013 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.

STATUS: 04/11/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

CA AB 756

AUTHOR: Melendez (R)
TITLE: Environmental Quality Act: Court Review: Public Works
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
LAST AMEND: 04/11/2013
DISPOSITION: Pending
LOCATION: Assembly Judiciary Committee

SUMMARY: Applies the provisions of the California Environmental Quality Act and the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 to a public works project, defined to mean an infrastructure project carried out by the city, county, special district, or state government or contracted out to a private entity by the special district or local or state government.

04/11/2013 From ASSEMBLY Committee on JUDICIARY with author's amendments.

STATUS: 04/11/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.

CA AB 797

AUTHOR: Gordon (D)
TITLE: Transit Districts: Contracts
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
LAST AMEND: 04/15/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee

SUMMARY: Authorizes the Santa Clara County Valley Transportation Authority and the San Mateo County Transit District to utilize the Construction Manager/General Contractor project delivery contract method for transit projects within their jurisdictions. Requires the Authority or the district to reimburse the Department of Industrial Relations for costs of performing wage monitoring and enforcement on projects using such contracting methods. Requires those funds to be for enforcement of prevailing wage requirements.

04/22/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (12-4)

STATUS:

CA AB 842

AUTHOR: Donnelly (R)
TITLE: High-Speed Rail
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no

Attachment # 4

CLAUSE:
INTRODUCED: 02/21/2013
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
Prohibits federal and state funds, including state bond funds, from being expended by the authority or any other state agency on the construction of the high-speed rail project, except as necessary to meet contractual commitments entered into before a specified date.
SUMMARY: 04/08/2013 In ASSEMBLY Committee on TRANSPORTATION: Failed passage.
STATUS: 04/08/2013 In ASSEMBLY Committee on TRANSPORTATION: Reconsideration granted.

CA AB 863

AUTHOR: Torres (D)
TITLE: Transit Projects: Environmental Review Process
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
Authorizes the Department of Transportation to assume responsibilities for federal review and clearance under the National Environmental Policy Act for a transit project that is subject to the act. Provides that the state consents to the jurisdiction of the federal courts in that regard, and provides that the department may not assert immunity from suit under the U.S. Constitution with regard to actions brought relative to those responsibilities under federal law.
SUMMARY: 03/04/2013 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES.
STATUS:

CA AB 906

AUTHOR: Pan (D)
TITLE: Personal Services Contracts
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/18/2013
DISPOSITION: Pending
FILE: 5
LOCATION: Assembly Second Reading File
Relates to the State civil Service Act and personal services contracts. Prohibits the award of a personal services contract unless the Legislature has specifically authorized the performance of the work by an independent contractor and appropriated funds specifically for that purpose.
SUMMARY: 04/24/2013 From ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT & SOCIAL SEC: Do pass as amended to Committee on APPROPRIATIONS. (5-2)
STATUS:

CA AB 953

AUTHOR: Ammiano (D)
TITLE: California Environmental Quality Act
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
 Amends the California Environmental Quality Act, which defines environment and significant effect on the environment for certain purposes. Revises those definitions.
SUMMARY: Requires a lead agency to include in an environmental assessment report, a detailed statement on any effects that may result in the locating a proposed project near natural hazards or adverse environmental conditions.
STATUS: 04/15/2013 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS. (5-3)

CA AB 1002

AUTHOR: Bloom (D)
TITLE: Vehicles: Registration Fee
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/23/2013
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 05/01/2013 1:30 pm, Room 447
 Imposes, in addition to any other taxes and fees specified in the Vehicle Code and the Revenue and Taxation Code, a tax to be paid at the time of registration or renewal of registration of every vehicle subject to registration under the Vehicle Code in a county that is in a metropolitan planning organization required to prepare a sustainable communities strategy as part of its transportation plan, with the deposit of all such tax moneys in the Sustainable Communities Strategy Subaccount.
SUMMARY: 04/23/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.
STATUS: 04/23/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

CA AB 1046

AUTHOR: Gordon (D)
TITLE: Department of Transportation: Innovative Delivery
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 03/21/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY: Authorizes the Department of Transportation's District 4 director to direct existing

Attachment # 4

district resources to the Innovative Delivery Team Demonstration Program. Authorizes department staff to perform reimbursed work for projects on and off the state highway system within the boundaries of the County of Santa Clara pursuant to the master agreement and accompanying work programs.

STATUS: 04/22/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (16-0)

CA AB 1070

AUTHOR: Frazier (D)
TITLE: California Transportation Financing Authority
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/03/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY: Relates to the Transportation Financing Authority Act and the Transportation Financing Authority. Provides for the roles of the authority and an issuer of bonds under the act if the project sponsor, rather than the authority, is the issuer of bonds.
STATUS: 04/22/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (16-0)

CA AB 1077

AUTHOR: Muratsuchi (D)
TITLE: Vehicle License Fee and Alternative Fuel Taxes
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/02/2013
DISPOSITION: Pending
COMMITTEE: Assembly Revenue and Taxation Committee
HEARING: 05/06/2013 1:30 pm, Room 126
SUMMARY: Amends existing law that imposes state sales and use taxes on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in the state and defines the terms gross receipts and sales price. Excludes from the terms gross receipts and sales price in the sale of a new alternative fuel motor vehicle, in any amount allowed as a credit under the Internal Revenue Code, relating to new qualified plug-in electric drive motor vehicles, and amounts under the state incentive.
STATUS: 04/02/2013 From ASSEMBLY Committee on REVENUE AND TAXATION with author's amendments.
04/02/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on REVENUE AND TAXATION.

CA AB 1080

AUTHOR: Alejo (D)
TITLE: Community Revitalization & Investment Authorities
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no

Attachment # 4

CLAUSE:
INTRODUCED: 02/22/2013
LAST AMEND: 04/24/2013
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 05/01/2013 1:30 pm, Room 447
SUMMARY: Authorizes certain public entities of a community revitalization and investment area to form a community revitalization plan within a community revitalization and investment authority to carry out the Community Redevelopment Law in a specified manner. Requires the authority to adopt a community revitalization plan for a community revitalization and investment area and authorizes the authority to include in that plan a provision for the receipt of tax increment funds.
STATUS: 04/24/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

CA AB 1081

AUTHOR: Medina (D)
TITLE: Economic Development: Goods-Movement Infrastructure
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/03/2013
DISPOSITION: Pending
COMMITTEE: Assembly Transportation Committee
HEARING: 04/29/2013 1:30 pm, Room 4202
SUMMARY: Amends existing law that requires the Governor to submit to the Legislature a proposed infrastructure plan containing specified information concerning infrastructure needed by specified entities and a proposal for funding the needed infrastructure. Requires the plan to include information related to infrastructure identified by state and federal transportation authorities and a recommendation for public sector financing.
STATUS: 04/09/2013 From ASSEMBLY Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY: Do pass to Committee on TRANSPORTATION. (8-0)

CA AB 1140

AUTHOR: Daly (D)
TITLE: Public Works: Prevailing Wages
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 03/19/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY: States that if the Director of Industrial Relations determines, within a semiannual period, that there is a change in any prevailing rate of per diem wages in a locality, that determination applies to any public works. Authorizes any contractor, awarding body, or representative affected by a change in rates to file with the director a verified petition to review the determination of that rate. Requires the initiation of an investigation or hearing to make a final determination.

Attachment # 4

STATUS: 04/10/2013 From ASSEMBLY Committee on LABOR AND EMPLOYMENT:
Do pass to Committee on APPROPRIATIONS. (5-1)

CA AB 1158

AUTHOR: Waldron (R)
TITLE: Vehicles: On-Street Parking for Electric Vehicles
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
SUMMARY: Authorizes local authorities to adopt rules and regulations by ordinance or resolution regarding designating and enforcing on-street parking spaces for electric vehicles.
STATUS: 03/07/2013 To ASSEMBLY Committees on TRANSPORTATION and LOCAL GOVERNMENT.

CA AB 1179

AUTHOR: Bocanegra (D)
TITLE: Regional Transport: Sustained Communities: Schools
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 03/21/2013
DISPOSITION: Pending
LOCATION: Assembly Local Government Committee
SUMMARY: Relates to transportation planning for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. Requires reporting of how the sustainable communities strategy may impact school enrollments and capacities and the need for new schoolsites or expansion or modernization of existing schoolsites. Provides for membership of the Strategic Growth Council.
STATUS: 04/10/2013 In ASSEMBLY Committee on LOCAL GOVERNMENT: Not heard.

CA AB 1193

AUTHOR: Ting (D)
TITLE: Bikeways
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/16/2013
DISPOSITION: Pending
LOCATION: Assembly Local Government Committee
SUMMARY: Prohibits the Department of Transportation from denying funding to a project because it is excepted pursuant to provisions of existing law. Provides, to the extent that a design exception is determined to be consistent with generally accepted professional engineering practice and is approved pursuant to the procedures adopted under these provisions, that determination constitutes substantial evidence on the basis of which the plan could have been approved without legislative body or employee liability.

Attachment # 4

04/16/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.
STATUS: 04/16/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

CA AB 1194

AUTHOR: Ammiano (D)
TITLE: Safe Routes to School Program
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/01/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY: Requires the Safe Routes to School Program to be funded by budget appropriations for grants by the Department of Transportation to local government agencies for construction and noninfrastructure activities. Provides for activities to encourage walking and bicycling to school, public awareness campaigns, outreach to press and community leaders, traffic education and enforcement in the vicinity of schools, student sessions on bicycle and pedestrian safety, funding for training and volunteers.
STATUS: 04/15/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (12-0)

CA AB 1272

AUTHOR: Medina (D)
TITLE: Infrastructure and Economic Development Bank
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY: Revises the definition of economic development facilities to include facilities that are used to provide goods movement and would define goods movement-related infrastructure. Revises the definition of port facilities to specifically reference airports, landports, waterports, and railports. The bill would authorize the bank to join or formally participate in regional, state, national, or international organizations related to infrastructure financing.
STATUS: 04/17/2013 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.

CA AB 1290

AUTHOR: Perez J (D)
TITLE: Transportation Planning
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/23/2013
DISPOSITION: Pending

Attachment # 4

COMMITTEE: Assembly Transportation Committee
HEARING: 04/29/2013 1:30 pm, Room 4202
Provides for 2 additional voting members of the State Transportation Commission to be appointed by the Legislature. Provides for the Secretary of the Transportation Agency, the Chairperson of the State Air Resources Board, and the Director of Housing and Community Development to serve as ex officio members without a vote. Requires the Governor to make sure the transportation community is represented on the board with future appointments.
SUMMARY: 04/23/2013 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.
STATUS: 04/23/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

CA ACA 1

AUTHOR: Donnelly (R)
TITLE: Administrative Regulations: Legislative Approval
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/03/2012
DISPOSITION: Pending
COMMITTEE: Assembly Accountability and Administrative Review Committee
HEARING: 05/01/2013 9:00 am, Room 437
SUMMARY: Requires an administrative agency to submit all regulations to the Legislature for approval. Authorizes the Legislature, by means of a concurrent resolution, to approve a regulation adopted by an administrative agency of the state.
STATUS: 04/04/2013 To ASSEMBLY Committees on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW and APPROPRIATIONS.

CA ACA 3

AUTHOR: Campos (D)
TITLE: Local Government Finance: Public Safety Services
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 01/22/2013
DISPOSITION: Pending
LOCATION: Assembly Local Government Committee
SUMMARY: Authorizes the imposition, extension, or increase of a special tax for funding fire, emergency response, police, or sheriff services, upon the approval of 55% of the voters voting. Creates an additional exception to the 1% limit for a rate imposed by a city, county, or special district to service bonded indebtedness incurred to fund certain fire, emergency response, police, or sheriff buildings or facilities, and equipment that is approved by 55% of the voters of the city, county, or special district.
STATUS: 04/04/2013 To ASSEMBLY Committees on LOCAL GOVERNMENT and APPROPRIATIONS.

CA ACA 8

AUTHOR: Blumenfield (D)
TITLE: Local Government Financing: Voter Approval
FISCAL no

Attachment # 4

COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/13/2013
LAST AMEND: 04/04/2013
DISPOSITION: Pending
LOCATION: Assembly Local Government Committee

SUMMARY: Proposes an amendment to the Constitution to create an additional exception to the 1% limit for an ad valorem tax rate imposed by a city, county, city and county, or special district, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district.

04/04/2013 To ASSEMBLY Committees on LOCAL GOVERNMENT and APPROPRIATIONS.

STATUS: 04/04/2013 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.

04/04/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

CA SB 1

AUTHOR: Steinberg (D)
TITLE: Sustainable Communities Investment Authority
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: no
INTRODUCED: 12/03/2012
LAST AMEND: 04/15/2013
DISPOSITION: Pending
LOCATION: Senate Second Reading File

SUMMARY: Authorizes certain public entities of a Sustainable Communities Investment Area to form a Sustainable Communities Investment Authority to carry out the Community Redevelopment Law. Provides for tax increment funding receipt under certain economic development and planning criteria. Establishes prequalification requirements for receipt of funding. Requires monitoring and enforcement of prevailing wage requirements within the area.

04/23/2013 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass as amended to Committee on APPROPRIATIONS. (8-3)

STATUS:

CA SB 11

AUTHOR: Pavley (D)
TITLE: Alternative Fuel: Vehicle Technologies: Funding Program
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: yes
INTRODUCED: 12/03/2012
LAST AMEND: 04/18/2013
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY: Provides the State Air Resources Board has no authority to enforce any element of the

Attachment # 4

clean fuels outlet regulation or other regulation that requires the construction, operation, or providing funding for the construction or operation of any publicly available hydrogen fueling station. Requires the public disclosure of the number of vehicles sold or leased. Requires grants and loans for a sufficient hydrogen fueling network. Extends a vehicle registration charge. Adds a specified project for funding.

STATUS: 04/18/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

CA SB 33

AUTHOR: Wolk (D)
TITLE: Infrastructure Financing Districts: Voter Approval
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/03/2012
LAST AMEND: 03/06/2013
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY: Revises provisions governing infrastructure financing districts. Eliminates the requirement of voter approval for creation of the district and for bond issuance, and authorizes the legislative body to create the district subject to specified procedures. Authorizes the creation of such district subject to specified procedures. Authorizes a district to finance specified actions and project. Prohibits the district from providing financial assistance to a vehicle dealer or big box retailer.

STATUS: 04/11/2013 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (24-13)

CA SB 34

AUTHOR: Calderon R (D)
TITLE: Greenhouse Gas: Carbon Capture and Storage
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 12/03/2012
LAST AMEND: 04/10/2013
DISPOSITION: Pending
LOCATION: Senate Second Reading File

SUMMARY: Requires a final methodology for carbon capture and storage projects to demonstrate geologic sequestration of greenhouse gases under the federal Underground Injection Control program. Requires the regulation of carbon dioxide enhanced oil recovery projects that demonstrate carbon sequestration providing for greenhouse gas emissions reduction. Relates to pipeline security regulation and enforcement. Defines land space that can be used for the storage of greenhouse gas.

STATUS: 04/23/2013 From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass as amended to Committee on APPROPRIATIONS. (8-0)

CA SB 64

AUTHOR: Corbett (D)
TITLE: Proposition 39: Implementation
FISCAL yes

Attachment # 4

COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 01/10/2013
LAST AMEND: 04/23/2013
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY: Requires the State Energy Resources Conservation and Development Commission to develop and administer programs, consistent with the State Clean Energy Jobs Act, to provide financial assistance to school districts, cities and counties to install energy efficiency or clean energy technology in schools and municipal facilities. Appropriates funds from the Clean Energy Job Creation Fund. Relates to clean energy to offset a facility's electrical requirements. Relates to the state's loading order.
STATUS: 04/23/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

CA SB 110

AUTHOR: Steinberg (D)
TITLE: California Transportation Commission: Guidelines
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: no
INTRODUCED: 01/14/2013
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY: Establishes specified procedures that the Transportation Commission would be required to utilize when it adopts guidelines relative to its programming and allocation policies. Exempts the adoption of those guidelines from the requirements of the Administrative Procedure Act.
STATUS: 04/22/2013 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (38-0)

CA SB 123

AUTHOR: Corbett (D)
TITLE: Environmental and Land-Use Court
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: no
INTRODUCED: 01/18/2013
LAST AMEND: 04/23/2013
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY: Requires the Judicial Council to direct the creation of an environmental and land-use division within the Superior Courts selected by the Judicial Council to process civil proceedings brought pursuant to the California Environmental Quality Act or in specified subject areas, including air quality, biological resources, climate change, hazards and hazardous materials, land use planning, and water quality.
STATUS: 04/23/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

CA SB 133

AUTHOR: DeSaulnier (D)
TITLE: Enterprise Zones: Applications
FISCAL
COMMITTEE: no
URGENCY
CLAUSE: no
INTRODUCED: 01/28/2013
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY: Provides that, for any application for an enterprise zone designation submitted on or after January 1, 2014, if any portion of the proposed zone is within, or was previously within, the boundaries of a previously designated zone, or if any portions of the proposed zone are within, or previously were within, the boundaries of 2 or more previously designated enterprise zones, the bill prohibits the proposed enterprise zone from exceeding a specified aggregate size.

STATUS: 04/08/2013 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (38-0)

CA SB 142

AUTHOR: DeSaulnier (D)
TITLE: Public Transit
FISCAL
COMMITTEE: yes
URGENCY
CLAUSE: no
INTRODUCED: 01/30/2013
LAST AMEND: 04/23/2013
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee

SUMMARY: Repeals existing law providing for creation of one or more special benefit districts within a transit or rapid transit district regarding issuance of bonds to be repaid through special assessments levied on property within the special benefit district. Amends district areas. Enacts provisions authorizing a transit district, municipal operator, other other public agency operating or contracting for the operation of transit, commuter rail, or intercity rail service to create one or more special districts.

STATUS: 04/23/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

CA SB 167

AUTHOR: Gaines T (R)
TITLE: California Environmental Quality Act
FISCAL
COMMITTEE: no
URGENCY
CLAUSE: no
INTRODUCED: 02/04/2013
DISPOSITION: Pending
LOCATION: Senate Rules Committee

SUMMARY: Makes technical, nonsubstantive changes to provisions of the California Environmental Quality Act that requires a lead agency to prepare an environmental impact report on a project that it proposes to carry out that may have a significant effect on the environment.

STATUS: 02/14/2013 To SENATE Committee on RULES.

CA SB 176

AUTHOR: Galgiani (D)
TITLE: Administrative Procedures
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/06/2013
LAST AMEND: 04/24/2013
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 04/29/2013 11:00 am, Burton Hearing Room (4203)
SUMMARY: Requires, in order to increase public participation and improve the quality of regulations, state agencies, boards, and commissions to publish a notice prior to any meeting date or report, provided the meeting or report is seeking public input.
04/24/2013 From SENATE Committee on APPROPRIATIONS with author's amendments.
STATUS: 04/24/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

CA SB 228

AUTHOR: Knight (R)
TITLE: Enterprise Zones
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/11/2013
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY: Makes technical, nonsubstantive changes to the Enterprise Zone Act that provides for various types of economic development areas throughout the state, including, but not limited to, enterprise zones, and authorizes qualifying enterprise zones to receive certain tax and regulatory incentives.
STATUS: 02/21/2013 To SENATE Committee on RULES.

CA SB 230

AUTHOR: Knight (R)
TITLE: Local Transportation Funds: Performance Audits
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/11/2013
LAST AMEND: 03/18/2013
DISPOSITION: Pending
LOCATION: Senate Transportation and Housing Committee
SUMMARY: Amends the Mills-Alquist-Deddeh Act that requires the transportation planning agency to consult with the entity to be audited prior to designating the entity to make the performance audit and defines operating cost for this purpose. Excludes principal and interest payments on all capital projects funded with certificate of participation. Corrects an obsolete cross-reference in this definition of operating costs.

Attachment # 4

STATUS: 03/21/2013 Re-referred to SENATE Committee on TRANSPORTATION AND HOUSING.

CA SB 286

AUTHOR: Yee (D)
TITLE: Vehicles: High-Occupancy Vehicle Lanes
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/14/2013
LAST AMEND: 03/18/2013
DISPOSITION: Pending
FILE: 33
LOCATION: Senate Third Reading File
SUMMARY: Extends the operation of existing law that authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles, which lanes may also be used by certain low-emission or alternative fuel vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane. Permits the department to issue a valid identifier to a vehicle that meets the state's transitional zero emission standard.
STATUS: 04/16/2013 In SENATE. Read second time. To third reading.

CA SB 328

AUTHOR: Knight (R)
TITLE: Counties: Public Works Contracts
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/19/2013
LAST AMEND: 04/09/2013
DISPOSITION: Pending
FILE: 67
LOCATION: Senate Special Consent Calendar
SUMMARY: Authorizes a county to utilize construction manager at-risk construction contracts for the erection, construction, alteration, repair, or improvement of any building owned or leased by the county. Provides that a construction manager at-risk contract may be awarded using the lowest responsible bidder or the best value method. Requires subcontractors not listed as partners, general partners, or association members be awarded certain work by the construction manager at-risk.
STATUS: 04/24/2013 In SENATE. To Special Consent Calendar.

CA SB 403

AUTHOR: Cannella (R)
TITLE: State Highway Routes
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/20/2013
DISPOSITION: Pending
LOCATION: Senate Rules Committee

Attachment # 4

SUMMARY: States the intent of the Legislature to enact legislation to amend those provisions of law applicable to state highway routes.
STATUS: 02/28/2013 To SENATE Committee on RULES.

CA SB 408

AUTHOR: De Leon (D)
TITLE: Transportation Funds
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/20/2013
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY: Relates to transportation funds available for capital improvement projects. Provides that remaining funds are available for the study of, and development and implementation of, capital improvement projects.
STATUS: 02/28/2013 To SENATE Committee on RULES.

CA SB 425

AUTHOR: DeSaulnier (D)
TITLE: Public Works: the Public Works Peer Review Act of 2013
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
LAST AMEND: 04/18/2013
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 05/01/2013 9:30 am, Room 112
SUMMARY: Requires a public agency, principally tasked with administering the planning, development, and operation of a project to establish a specified peer review group, to provide it with expert advice on the scientific and technical aspects of the project if the public works is a megaproject, if it has been determined that the group is in the public interest or if a statute or resolution passed by the Legislature requires the agency to do so. Requires public disclosure by group members.
04/18/2013 From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.
STATUS: 04/18/2013 In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.

CA SB 436

AUTHOR: Jackson (D)
TITLE: California Environmental Quality Act: Notice
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
LAST AMEND: 04/03/2013
DISPOSITION: Pending
COMMITTEE: Senate Environmental Quality Committee

Attachment # 4

HEARING: 05/01/2013 9:30 am, Room 3191
Relates to the California Environmental Quality Act. Requires a lead agency to conduct at least one public scoping meeting for the specified projects and to provide notice to the specified entities of at least one public scoping meeting. Revises the meeting notice requirements to requires the notice be given to a list of specified parties including the State Clearinghouse and project applicants.

SUMMARY: 04/03/2013 From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.

STATUS: 04/03/2013 In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.

CA SB 444

AUTHOR: Hueso (D)
TITLE: State Highway Route 86: Relinquishment
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
LAST AMEND: 04/04/2013
DISPOSITION: Pending
LOCATION: Senate Transportation and Housing Committee
Authorizes the State Transportation Commission to relinquish to the cities of Brawley, El Centro, and Imperial and the County of Imperial specified portions of State Highway Route 86 under certain conditions. Redesignates a specified portion of such route as part of State Highway Route 78 following relinquishment. Requires the relinquishments to be done at not cost to the state, unless the commission makes a finding of need.

SUMMARY: 04/11/2013 Re-referred to SENATE Committee on TRANSPORTATION AND HOUSING.

STATUS:

CA SB 454

AUTHOR: Corbett (D)
TITLE: Public Resources: Electric Vehicle Charging Stations
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
LAST AMEND: 04/16/2013
DISPOSITION: Pending
COMMITTEE: Senate Energy, Utilities and Communications Committee
HEARING: 04/30/2013 9:00 am, Room 3191
Creates the Electric Vehicle Charging Stations Open Access Act. Requires an electric vehicle charging station installed in a public parking space to be available to the general public. Provides charging a subscription or membership fee to use the station. Authorizes network roaming charges for nonmembers if charges are disclosed at the point of sale. Authorizes public disclosure of fees and network roaming charges for nonmembers. Requires interoperability billing standards. Provides for consumer complaints.

SUMMARY: 04/16/2013 In SENATE. Read second time and amended. Re-referred to Committee on ENERGY, UTILITIES AND COMMUNICATIONS.

STATUS:

Attachment # 4

CA SB 469

AUTHOR: Corbett (D)
TITLE: Public Contracts: Local Agencies: Public Transit
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
DISPOSITION: Pending
LOCATION: Senate Transportation and Housing Committee
SUMMARY: Requires a local authority awarding a procurement contract for purchase of public transit vehicle to give preference to any bidder that agrees that all vehicles to be purchased are to be manufactured within the State.
STATUS: 03/11/2013 To SENATE Committees on TRANSPORTATION AND HOUSING, GOVERNANCE AND FINANCE and APPROPRIATIONS.

CA SB 513

AUTHOR: Hancock (D)
TITLE: Diversion Programs: Sealed Records
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
LAST AMEND: 04/01/2013
DISPOSITION: Pending
COMMITTEE: Senate Public Safety Committee
HEARING: 04/30/2013 9:00 am, Burton Hearing Room (4203)
SUMMARY: Provides that in any case where a person is arrested and successfully completes a diversion program administered by a prosecuting attorney in lieu of filing an accusatory pleading, the person may petition the Superior Court that would have had jurisdiction over the matter for an order to seal the records of the arresting agency and related court files and records, and the court may issue that order if the court finds that doing so will be in furtherance of justice.
STATUS: 04/03/2013 Re-referred to SENATE Committee on PUBLIC SAFETY.

CA SB 525

AUTHOR: Galgiani (D)
TITLE: California Environmental Quality Act: Exemptions
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2013
DISPOSITION: Pending
COMMITTEE: Senate Environmental Quality Committee
HEARING: 05/01/2013 9:30 am, Room 3191
SUMMARY: Provides that a project by the San Joaquin Regional Rail Commission and the High-Speed Rail Authority to improve the existing tracks, structure, bridges, signaling systems, and associated appurtenances located on the existing railroad right-of-way used by the Altamont Commuter Express service qualifies for an exemption from CEQA.
STATUS: 03/11/2013 To SENATE Committee on ENVIRONMENTAL QUALITY.

CA SB 557

AUTHOR: Hill (D)
TITLE: High-Speed Rail
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee
HEARING: 04/30/2013 1:30 pm, Burton Hearing Room (4203)
SUMMARY: Relates to existing law that appropriates specified funds from the High Speed Passenger Train Bond Fund and from federal funds for high-speed rail and connecting rail projects. Adds detail to provisions governing the expenditure of certain of those appropriated funds. Specifies that of the moneys appropriated for early high-speed rail improvement projects in the Budget Act of 212, a specified amount shall be allocated solely for purposes of specified memoranda of understanding.
STATUS: 04/23/2013 In SENATE Committee on TRANSPORTATION AND HOUSING: Not heard.

CA SB 628

AUTHOR: Beall (D)
TITLE: Infrastructure Financing: Transit Priority Projects
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/10/2013
DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee
HEARING: 05/07/2013 1:30 pm, Burton Hearing Room (4203)
SUMMARY: Eliminates the requirement of voter approval for the adoption of an infrastructure financing plan, the creation of an infrastructure financing district, and the issuance of bonds with respect to a transit priority project. Requires a specified percentage of the revenue for increasing, improving, and preserving the supply of lower and moderate-income housing. Provides that income level for continued occupancy. Relates to the approval of such district and its ability to issue bonds.
STATUS: 04/17/2013 From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on TRANSPORTATION AND HOUSING. (5-2)

CA SB 731

AUTHOR: Steinberg (D)
TITLE: Environment: California Environmental Quality Act
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/23/2013
DISPOSITION: Pending
LOCATION: Senate Rules Committee

Attachment # 4

SUMMARY: Relates to the state environmental quality act. Provides that aesthetic impacts of a residential, mixed-use residential, or employment center project within a transit priority area shall not be considered significant impacts on the environment. Requires guidelines for thresholds of significance and the transportation and parking impacts to be made available to the public. Requires preparation of environmental impact reports. Extends tolling agreements for judicial actions and mitigation measures.

STATUS: 04/23/2013 From SENATE Committee on RULES with author's amendments.
04/23/2013 In SENATE. Read second time and amended. Re-referred to Committee on RULES.

CA SB 739

AUTHOR: Calderon R (D)
TITLE: Environmental Quality
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY: Makes a technical, nonsubstantive change to the definition of local agency for the purposes of the California Environmental Quality Act.
STATUS: 03/11/2013 To SENATE Committee on RULES.

CA SB 751

AUTHOR: Yee (D)
TITLE: Local Planning: Metropolitan Planning Organizations
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/11/2013
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 05/01/2013 9:30 am, Room 112
SUMMARY: Requires a transportation planning agency that is also designated as a metropolitan planning organization to publicly report any action taken and the vote or abstention on that action of every member present.
STATUS: 04/18/2013 Re-referred to SENATE Committee on GOVERNANCE AND FINANCE.

CA SB 785

AUTHOR: Wolk (D)
TITLE: Design-Build
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/23/2013

Attachment # 4

DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 05/01/2013 9:30 am, Room 112
 Repeal certain authorizations and enacts provisions that would authorize the Department of General Services, the Department of Corrections and Rehabilitation, and certain local agencies to use the design-build procurement process for specified public works.
SUMMARY: Provides that specified information is exempt from the Public Records Act. Requires specified moneys to be deposited into the State Public Works Enforcement Fund.
 04/23/2013 From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.
STATUS: 04/23/2013 In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.

CA SB 787

AUTHOR: Berryhill T (R)
TITLE: Environmental Quality: Sustainable Protection
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/18/2013
DISPOSITION: Pending
COMMITTEE: Senate Environmental Quality Committee
HEARING: 05/01/2013 9:30 am, Room 3191
 Enacts the Sustainable Environmental Protection Act. Specifies the environmental review required pursuant for projects related to specified environmental topical areas. Prohibits certain causes of action. Provides that the Act only applies if a lead agency or project applicant has agreed to provide to the public an annual compliance report.
SUMMARY: 04/18/2013 From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.
STATUS: 04/18/2013 In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.

CA SB 788

AUTHOR: Senate Transportation and Housing Committee
TITLE: Transportation
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/18/2013
DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee
HEARING: 04/30/2013 1:30 pm, Burton Hearing Room (4203)
 Defines the term highway for these exemption purposes under the CEQA. Relates to the prepayment of retail sales tax on aircraft jet fuel. Authorizes relinquishment of certain highways. Modifies bikeway provisions. Revises the definition of logging dolly. Relates to Olympic license plates. Extends provisions of existing law regarding medical requirements for commercial driver's licensing.
SUMMARY: 04/18/2013 From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.
STATUS: 04/18/2013 From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.

Attachment # 4

04/18/2013

In SENATE. Read second time and amended. Re-referred to
Committee on TRANSPORTATION AND HOUSING.**CA SB 798**

AUTHOR: De Leon (D)
TITLE: California Green Infrastructure Bank Act
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
DISPOSITION: Pending
LOCATION: Senate Governance and Finance Committee
SUMMARY: Enacts the Green Infrastructure Bank Act. Establishes the Green Infrastructure Bank. Provides for certain loans to a subdivision or local government. Amends an existing law which authorizes the allocation of moneys appropriated from Greenhouse Gas Reduction Fund for the purpose of reducing greenhouse gas emissions through investments in programs implemented by local and regional agencies and by nonprofit organizations.
STATUS: 03/11/2013 To SENATE Committees on GOVERNANCE AND FINANCE and RULES.

CA SB 810

AUTHOR: Price (D)
TITLE: Franchise Tax Board: Income Tax Credit
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/22/2013
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY: Authorizes the Franchise Tax Board to award tax credit certificates to exporters and importers that demonstrate they have increased their cargo tonnage or value through state ports and airports by specified amounts or had a net increase in full-time employees. Amends the Personal Income Tax Law and the Corporation Income Tax Law. Allows a credit against the taxes imposed by those laws if a taxpayer receives a tax credit certificate.
STATUS: 04/23/2013 Withdrawn from SENATE Committees on TRANSPORTATION AND HOUSING and GOVERNANCE AND FINANCE.
04/23/2013 Re-referred to SENATE Committee on RULES.

CA SB 811

AUTHOR: Lara (D)
TITLE: State Highway Route 710
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/22/2013
LAST AMEND: 04/03/2013
DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee

Attachment # 4

HEARING: 04/30/2013 1:30 pm, Burton Hearing Room (4203)
Imposes various requirements on the Department of Transportation with respect to proposed program of improvements for the State Highway Route 710 Corridor in the County of Los Angeles. Requires a public transportation plan, comprehensive pedestrian and bicycle improvement element, certain program and projects regarding the Los Angeles River and its tributaries, community benefits to schools and other facilities, certain job training, workforce development, and hiring activities.

SUMMARY:

STATUS: 04/11/2013 Re-referred to SENATE Committees on TRANSPORTATION AND HOUSING and APPROPRIATIONS.

CA SCA 3

AUTHOR: Leno (D)
TITLE: Taxation: Educational Entities: Parcel Tax
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 12/03/2012
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 05/15/2013 9:30 am, Room 112
SUMMARY: Conditions the imposition, extension, or increase of a parcel tax by a school district, community college district, or county office of education upon the approval of voters if the proposition meets specified requirements.
STATUS: 02/07/2013 To SENATE Committees on GOVERNANCE & FINANCE and ELECTIONS AND CONSTITUTIONAL AMENDMENTS.

CA SCA 4

AUTHOR: Liu (D)
TITLE: Local Government Transportation Project: Voter Approval
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 12/03/2012
LAST AMEND: 03/19/2013
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 05/15/2013 9:30 am, Room 112
SUMMARY: Proposes an amendment to the Constitution to provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects and requires the approval of a related proposition. Prohibits the local government from expending any revenues derived from a special transportation tax approved by the voters at any time prior to the completion of a identified capital project funded by specified revenues.
STATUS: 03/19/2013 From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.
03/19/2013 In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.

CA SCA 8

AUTHOR: Corbett (D)
TITLE: Transportation Projects: Special Taxes: Voter Approval
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 12/14/2012
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 05/15/2013 9:30 am, Room 112
SUMMARY: Provides that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation projects requires the approval of 55% of its voters voting on the proposition.
STATUS: 02/14/2013 To SENATE Committees on GOVERNANCE AND FINANCE and RULES.

CA SCA 9

AUTHOR: Corbett (D)
TITLE: Local Government: Economic Development: Special Taxes
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 12/18/2012
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 05/15/2013 9:30 am, Room 112
SUMMARY: Proposes an amendment to the Constitution to provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for community and economic development projects requires the approval of a specified percentage of its voters voting on the proposition.
STATUS: 02/07/2013 To SENATE Committees on GOVERNANCE AND FINANCE and ELECTIONS AND CONSTITUTIONAL AMENDMENTS.

CA SCA 11

AUTHOR: Hancock (D)
TITLE: Local Government: Special Taxes: Voter Approval
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 01/25/2013
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 05/15/2013 9:30 am, Room 112
SUMMARY: Makes conforming and technical, nonsubstantive changes to provisions relative to special taxation. Proposes an amendment to the Constitution to condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition.
STATUS: 02/07/2013 To SENATE Committees on GOVERNANCE AND FINANCE and ELECTIONS AND CONSTITUTIONAL AMENDMENTS.



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 10

Date: May 8, 2013

Subject: Contract with the Riverside County Transportation Commission (RCTC) for the implementation of San Bernardino County Trip Reduction and 511 programs.

Recommendation:* The Committee recommends the Board, acting as the San Bernardino County Transportation Commission, approve Contract No. C13143 with Riverside County Transportation Commission, effective from July 1, 2013, through June 30, 2014, in an amount not-to-exceed \$1,900,000.

Background: San Bernardino Associated Governments (SANBAG) has been involved in the funding and implementation of ridesharing and trip reduction services since the agency's inception. In 1993, SANBAG started a bi-county partnership with RCTC to provide implementation of local programs. In Fiscal Year (FY) 2002/2003, SANBAG's regional rideshare programs were implemented with the four other County Transportation Commissions (CTCs). Two years ago an Inland Empire 511 program was developed and implemented in partnership with RCTC. It is recommended that RCTC and its subcontractors continue to provide these trip reduction and 511 program services to SANBAG for FY 2013/2014.

Under this contract for FY 2013/2014 SANBAG and RCTC will continue to share 511 program costs equally (50%/50%) and will continue to enhance the program as needs arise. The services provided by RCTC (through its various contractors) are briefly outlined in Attachment A, and include:

*

	<p><i>Approved</i> General Policy Committee</p> <p>Date: ____</p> <p>Moved: Second:</p> <p>In Favor: Opposed: Abstained:</p> <p>Witnessed: _____</p>									
<table border="1" style="margin: auto;"> <tr> <td>COG</td><td>CTC</td><td>X</td><td>CTA</td><td>X</td><td>SAFE</td><td></td><td>CMA</td><td>X</td> </tr> </table>	COG	CTC	X	CTA	X	SAFE		CMA	X	
COG	CTC	X	CTA	X	SAFE		CMA	X		

Check all that apply.
 GPC1305b-nm

1. Rideshare Services (\$1,204,000) to include:
 - a. Technical and programmatic assistance to county employers;
 - b. Maintenance of a regional commuter database;
 - c. Survey and ride guide dissemination;
 - d. Operation of a 511 phone and web system available to commuters 24 hours a day, 7 days per week, 365 days per year;
 - e. Expanded Teleservices function, responding to 511 as well as other inquiries from commuters and employers;
 - f. Outreach, marketing campaigns, promotional efforts;
 - g. Special projects and one time studies/surveys;
 - h. Coordination and participation on local, regional and state committees; and
 - i. Marketing/outreach throughout the fiscal year.

2. Rideshare incentive and reward programs (\$696,000) to include:
 - a. Option Rideshare incentive program for new ridesharers who try a rideshare mode for a 3 month trial period;
 - b. A nine month staggered vanpool incentive; and
 - c. The Rideshare Plus reward program for ongoing ridesharers.

The county trip reduction/rideshare program is funded in part through federal Congestion Mitigation/Air Quality (CMAQ) funds, which were allocated by the SANBAG Board on October 5, 2005. The rideshare program funding has also been programmed in the Regional Transportation Improvement Program and is included in the Regional Transportation Plan. As a transportation control measure, ridesharing strategies are needed in order to assist the region in meeting its air quality and transportation conformity goals.

This contract is being presented to the General Policy Committee in draft form while final details are worked out and negotiated with RCTC.

Financial Impact: The total contract amount is \$1,900,000, and has been budgeted in the FY 2013/2014 Budget. Funding sources are Measure I Valley TMS (\$195,320) and CMAQ (\$1,704,680).

Reviewed By: This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Contract Administrator have reviewed this item and are assisting with negotiation of the contract.

Responsible Staff: Duane A. Baker, Director of Management Services



CONTRACT SUMMARY SHEET

Contract No. C 13143 Amendment No. _____

By and Between

SANBAG and RCTC

Contract Description Trip Reduction/Rideshare Programs

Board of Director's Meeting Date: 6/5/13

Overview of BOD Action: Approve Agreement with RCTC for Trip Reduction/Rideshare Programs for the period beginning July 1, 2013 through June 30, 2014, in an amount not to exceed \$1,900,000.

Is this a Sole-Source procurement? Yes No

CONTRACT OVERVIEW

Original Contract Amount	\$ 1,900,000	Original Contingency Amount	\$
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$
Current Amendment Amount	\$	Contingency Amendment	\$
TOTAL CONTRACT VALUE	\$ 1,900,000	TOTAL CONTINGENCY VALUE	\$
TOTAL BUDGET AUTHORITY (contract value + contingency)			\$ 1,900,000

Contract Start Date 7/1/13	Current Contract Expiration Date 6/30/14	Revised Contract Expiration Date
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Has the contract term been amended? No Yes - please explain.

FINANCIAL INFORMATION

Budget authority for this contract currently exists in Task No. 0406.

A Budget Amendment is required.

How are we funding current FY?

Federal Funds State Funds Local Funds TDA Funds Measure I Funds

Provide Brief Overview of the Overall Funding for the duration of the Contract:

Measure I Valley TMS funds at 10.28% and CMAQ funds at 89.72% of allowable costs.

Payable Receivable

CONTRACT MANAGEMENT INFORMATION

Check all applicable boxes:

Retention? If yes, indicate % _____.

Disadvantaged Business Enterprise (DBE) Goal _____ %

Nikki Miller

Project Manager (Print Name)

DWANE BAKER

Task Manager (Print Name)

Andrea Curwick

Dir. of Fund Admin. & Programming (Print Name)

Jeffrey Hill

Contract Administrator (Print Name)

V. Stawinski

Chief Financial Officer (Print Name)

Nikki Miller

Signature

4/8/13

Date

Dwane Baker

Signature

4-8-13

Date

Andrea Curwick

Signature

4/9/13

Date

Jeffrey Hill

Signature

4/10/13

Date

V. Stawinski

Signature

4/16/13

Date

ATTACHMENT "A"

Scope of Work

San Bernardino County Employer and Commuter Assistance Programs

Fiscal Year 2013-14

Inland Empire Rideshare Services

Provide a variety of services to employers and commuters, who participate in trip reduction activities. Activities shall include, but not be limited to: RideGuide/survey services, employer technical assistance, promotions, RideGuide production, coordination/dissemination of surveys and resulting report analysis for target marketing, Rideshare Connection broadcast e-mails, CommuteSmart News, networking meetings and coordination with other rideshare agencies and service providers. Assist multi-site and multi-jurisdictional headquarters employers within the County as well as related worksites outside of the County. Oversee and maintain a regional website (CommuteSmart.info), IE511.org website, social media platforms, and other regional products/outreach as assigned. Respond and coordinate inquiries with SANBAG that are San Bernardino specific and generated from 511, 1-866-RIDESHARE, CommuteSmart.info, as well as direct referrals. Oversee and maintain a regional database of commuters, working with the five county transportation commission's (CTCs) throughout the region, with SANBAG owning all Documents and Data (hard copy and electronic formats), as that term is defined in Section F(1) of the Agreement. Market the regional Guaranteed Ride Home Program to employers in San Bernardino County. Assist in the County's leased Park and Ride lot program. Operate the 511 program through phone and web services, providing enhancements, resolving issues, conducting marketing and periodic surveys. RCTC is to keep SANBAG advised regarding potential enhancements, issues, and periodic surveys if such tasks could potentially change/alter the current Rideshare and/or 511 programs in San Bernardino County. Conduct special projects and studies, as assigned, and coordinate/inform SANBAG rideshare staff if special projects and/or studies impact the San Bernardino Rideshare Program.

Related Expenses (\$1,204,000):

Includes labor, office expenses, marketing materials, office equipment, computer programming, telephone and other direct expenses.

Goals:

1. Implementation of commuter assistance programs to approximately 360 regulated and non-regulated employer worksites in San Bernardino County, to assist in the development and implementation of trip reduction programs and for technical assistance.
2. Work with 85 employers on AVR/Transportation surveys and AVR calculations.
3. Maintain an accurate database of 50,000 active San Bernardino County commuter registrants, resulting from completed commuter surveys at 85 San Bernardino County employers.
4. Disseminate 6,300 RideGuides to San Bernardino County commuters at 360 worksites.
5. Provide assistance to five multisite/multijurisdictional headquarters located in San Bernardino County representing 34 worksites in San Bernardino, Riverside, as well as Los Angeles and Orange counties.
6. Develop and implement three employer transportation network meetings, one promotional marketing campaign at San Bernardino employer worksites, and other events.

7. Produce and disseminate other regional marketing materials, as standalone campaigns within the Inland Empire or regional campaigns in coordination with the five CTCs.
8. Broadcast 12 Rideshare Connection e-mails to San Bernardino County employers.
9. For the two-county area, respond to 2,000 inquires/calls from commuters who work or reside in San Bernardino or Riverside counties, via 1-866-RIDESHARE, 1-800-COMMUTE, CommuteSmart.info, 511, direct referrals and other internet sources. Of these 2,000 inquiries, 200 RideGuides will be generated. In addition, 575 Inland residents will register in the database via the www.ridematch.info and the www.ie511.org website. SANBAG will be copied on responses that are specific to San Bernardino County.
10. Manage and operate the 511 system which will be available to commuters 24 hours a day, 7 days per week, 365 days per year.
11. The 511 phone system will provide assistance to 30,000 callers per month throughout the year. The system will have the capacity to handle 100,000 concurrent callers.
12. The www.ie511.org website will potentially receive 40,000 unique visitors per month. Website will be able to handle 100,000 concurrent users.
13. Continue 511 marketing/outreach and coordinating development of the marketing plan, campaign themes, surveys, studies and potential collateral materials for San Bernardino County with SANBAG rideshare staff, before the tasks are implemented.
14. Conduct and coordinate periodic surveys with SANBAG to determine the 511 program use, effectiveness and customer satisfaction.
15. Provide website and phone enhancements/upgrades as needed.

Rideshare Incentive Programs

Option Rideshare offers San Bernardino County residents who commute to work, up to \$2 a day (in local merchant gift cards) for each day they participate in a rideshare mode, during a three-month period. The Vanpool Incentive Program provides up to \$1,800 over nine months in discounted vanpool fares. Team Ride provides ongoing ridesharers who reside in San Bernardino County a Rideshare Plus Rewards Book, with discount coupons from more than 135,000 merchants throughout the southland. RCTC to manage and operate the Incentive Programs listed above, and to coordinate and discuss with SANBAG when potential changes to the Incentive Programs are being considered.

Related Expenses (\$696,000):

Includes labor, office expenses, marketing materials, office equipment, computer programming, telephone, direct commuter incentives (gift cards/ subsidies) and other direct expenses.

Goals:

1. The Option Rideshare program will enlist 1,200 County residents, who commute to work to 125 employers in Southern California. These participants on average have a one-way commute distance of 27.59 miles and the goal is to reduce 109,000 one way vehicle trips from the roadways.
2. Team Ride registrants will consist of 6,100 members when the program is at its highest membership. Members will work at employment sites from 350 employers throughout Southern California.



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 11

Date: May 8, 2013

Subject: Award Contract for Call Box Maintenance Services

Recommendation:* That the Committee recommend the Board of the San Bernardino County Service Authority for Freeway Emergencies:

Award Contract No. C13142, to CASE Systems, Inc., for call box maintenance services, for a three-year period, not to exceed \$1,895,620. Two one-year options are included in the contract as well and as outlined in the Financial Impact Section.

Background: The San Bernardino County Service Authority for Freeway Emergencies (SAFE) operates approximately 1,224 call boxes on freeways and highways throughout the County. Each call box is a battery-powered, solar-charged roadside terminal with a microprocessor and a built-in digital cellular telephone. The network has assisted more than 1.4 million callers since inception.

The last procurement process for a maintenance provider was conducted in the summer of 2004. A Request for Proposal (RFP) was released to upgrade the system from an analog to a digital cellular signal, to provide improvements anticipated to bring the system into compliance with the Americans with Disabilities Act, and to provide routine corrective and preventative maintenance.

*

Approved
General Policy Committee

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

COG		CTC		CTA		SAFE	X	CMA	
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Check all that apply.

GPC1305a-nm

<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C13142.docx>

As a result of this RFP process, in November of 2004, Comarco Wireless Technologies (CWT) was selected as the call box maintenance provider and awarded Agreement No. 05-006 through June 30, 2010. In July 2008, the SAFE Board approved CWT's assignment to CASE Systems, Incorporated (CASE), and CASE's assumption of CWT's rights and obligations under Agreement No. 05-006. In May 2010, the SAFE Board approved a twelve-month extension of the CASE agreement term to June 30, 2011, and in June 2011, approved a six-month extension of the CASE agreement term to December 31, 2011. Subsequently, an additional three-month extension was approved on November 2, 2011, taking the term through March 31, 2012. On April 4, 2012, the Board approved another extension to January 31, 2013. Finally, as staff continued to review, research and resolve a number of State related items, and in order to have our agreement with CASE end on the same date as Riverside County Transportation Commission's (RCTC) contract for similar services with CASE, on January 9, 2013, the SAFE Board extended the agreement to June 30, 2013.

In order to maximize resources, RCTC and the SAFE decided to issue a joint RFP for call box maintenance services, with RCTC taking the lead. The procurement for call box maintenance was conducted by RCTC. RCTC released a competitive-based call box maintenance RFP on March 4, 2013 with proposals due on April 1, 2013. As a result, two call box maintenance service proposals were submitted. The Proposers included (in alphabetical order): CASE Systems, Inc., and Siemens.

An Evaluation Team to review the proposals consisted of representatives from RCTC, San Bernardino Associated Governments (SANBAG) and Orange County Transportation Authority (OCTA). After the initial review, the Evaluation Team awarded the contract based on the following criteria:

1. Qualification of the Firm – experience in performing call box maintenance services and similar work.
2. Experience and Qualifications of Key Staff – qualifications of the individuals, subconsultants, and/or suppliers that will be providing services.
3. Understanding and Approach – demonstration of an understanding of the Statement of Work and its components.
4. Cost – reasonableness of the total price and competitiveness of this amount with other proposals received and the basis on which the prices are quoted.

As a result of the proposal reviews, the Evaluation Team ranked each proposer. The Evaluation Team did not conduct interviews due to the large margin in

scoring of the two proposals with the higher scoring proposal being provided by the incumbent vendor. The following is a summary of the proposer ranking:

Ranking	Vendor
1	CASE Systems, Inc.
2	Siemens

CASE Systems, Inc., was ranked as number 1 and was deemed overall best suited to perform the services for a variety of reasons including, experience with call box maintenance, price structure, approach to services, and staffing and resources dedicated to the program.

SANBAG has also discussed the installation of satellite call boxes with CASE Systems, Inc. Satellite call boxes would be ideal for remote areas where the signal was lost when call boxes were converted from analog to digital. Locations are currently being identified. Satellite call boxes are not ADA compliant due to the fact that they are not compatible with TTY technology and there is no expectation that they will be in the future. Installation of the satellite boxes is still considered beneficial due to the fact that some degree of being able to contact emergency services would be provided in locations previously not covered by digital call box technology. The not-to-exceed budget amount includes installation, monthly maintenance, air time and other costs associated with the installation and maintenance of 20 satellite call boxes over the three year initial contract term. If the initial satellite call box installations are effective, staff may bring contract amendments forward in subsequent years for additional satellite call box installations.

Attached is the scope of work to Contract C13142. Upon Board approval, the Contract will be executed and will be effective July 1, 2013, and there will be no service disruption.

Financial Impact: Funds for call box maintenance services have been programmed into the FY 2013/2014 Budget. Future funding will be programmed into the respective fiscal year budgets. The funding source is DMV SAFE under Task 0702.

Reviewed By: This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Contract Administrator have reviewed this item and a draft of the contract.

Responsible Staff: Duane A. Baker, Director of Management Services



CONTRACT SUMMARY SHEET

Contract No. C 13142 Amendment No. _____

By and Between

SANBAG and CASE Systems, Inc.

Contract Description Call box maintenance services

Board of Director's Meeting Date: 6/5/13	
Overview of BOD Action: Approve Contract C13142 for call box maintenance services for a three year period through 6/30/16, with two one year options, in a not to exceed amount of \$1,895,620.	
Is this a Sole-Source procurement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

CONTRACT OVERVIEW			
Original Contract Amount	\$	1,895,620	Original Contingency Amount
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$		Revised Contingency Amount <i>Inclusive of prior amendments</i>
Current Amendment Amount	\$		Contingency Amendment
TOTAL CONTRACT VALUE	\$	1,895,620	TOTAL CONTINGENCY VALUE
TOTAL BUDGET AUTHORITY (contract value + contingency)			\$ 1,895,620

Contract Start Date 7/1/13	Current Contract Expiration Date 6/30/16	Revised Contract Expiration Date
Has the contract term been amended? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - please explain.		

FINANCIAL INFORMATION				
<input checked="" type="checkbox"/> Budget authority for this contract currently exists in Task No. 0702.				
<input type="checkbox"/> A Budget Amendment is required.				
How are we funding current FY? Through the California DMV \$1 per vehicle annual fee.				
<input type="checkbox"/> Federal Funds	<input checked="" type="checkbox"/> State Funds	<input type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input type="checkbox"/> Measure I Funds
<i>Provide Brief Overview of the Overall Funding for the duration of the Contract:</i>				
The California Department of Motor Vehicles collects the annual \$1 vehicle registration fee from vehicles registered in San Bernardino County for use in maintaining and operating the Call Box Program.				
<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable				

CONTRACT MANAGEMENT INFORMATION	
Check all applicable boxes:	
<input type="checkbox"/> Retention? If yes, indicate % _____.	
<input type="checkbox"/> Disadvantaged Business Enterprise (DBE) Goal _____ %	

Nikki Miller
Project Manager (Print Name)

DIANE A. BAKER
Task Manager (Print Name)

Andrea Mucida
Dir. of Fund Admin. & Programming (Print Name)

Jeffery Hill
Contract Administrator (Print Name)

[Signature]
Chief Financial Officer (Print Name)

Nikki Miller 4/8/13
Signature Date

[Signature] 4-9-13
Signature Date

[Signature] 4/9/13
Signature Date

[Signature] 4/11/13
Signature Date

[Signature] 4/16/13
Signature Date

ATTACHMENT A - STATEMENT OF WORK

CALL BOX SYSTEM MAINTENANCE SERVICES

The San Bernardino Service Authority for Freeway Emergencies (SB SAFE) motorist aid call box system requires extensive year-round maintenance, repairs, and other related fieldwork to ensure the proper functioning and appearance of the call box system. Routine maintenance is conducted monthly but some repairs may require immediate attention depending on the nature of the damages to the call box. To efficiently manage the maintenance of the call box system, a computerized maintenance system is required to notify the Consultant of repairs needed and to view, track, and record every repair made to the call box system.

I. GENERAL CONDITIONS

A. Work to be Done

Consultant shall perform all work necessary to maintain the motorist aid call box system in a satisfactory manner as detailed in this Scope of Work. No tasks under this RFP shall be performed by a subcontractor without the written consent from SAFE project manager. Unless otherwise provided, Consultant shall furnish all materials, equipment, tools, labor, and incidentals necessary to complete the services for the specified flat fee. Instructions for accessing a list of call box location information are available upon request. All work shall be in compliance with the CHP/Caltrans Call Box and Motorist Aid Guidelines, Caltrans requirements, American with Disabilities Act (ADA) regulation, as well as all applicable federal, state, and local laws.

Consultant is alerted to and is responsible for complying with all applicable prevailing wage laws as further set forth in Article 41 of the Contract.

Consultant shall facilitate at its own cost all transition tasks with the previous maintenance provider, if applicable including, but not limited to, transfer of call box materials, swapping of call box data, and other related tasks. Consultant is expected to start repairs immediately at start of contract period with the appropriate staffing levels and materials necessary. It is the responsibility of the Consultant to account for repairs that may not be completed or have not been started by the previous maintenance consultant. The call box system shall be handed over to the Consultant in an "as-is" condition.

B. Plans and Specifications

Consultant shall keep at the field office a copy of all plans and specifications to which SAFE shall have access to at all times. Any additional documentation or specifications for new equipment or processes (i.e. transceiver, TTY) shall also be kept by Consultant in the field office and be available for review by the SAFE Project Manager or other SAFE designated representative(s). Any call box specification plans the successful Consultant does not have shall be created by Consultant as part of an administrative task and may be facilitated by the SAFE Project Manager.

C. Rights of Entry and Permits

Consultant shall be responsible for obtaining all rights of entry, encroachment permits, and other licenses or permits required to perform the work hereunder.

D. Materials and Workmanship

All materials, parts, and equipment furnished by Consultant shall be of high grade and free from defects. Enclosures shall not be replaced with others of lesser quality as measured by paint brightness and coating integrity. Quality of work shall be in accordance with generally accepted standards. Materials and work quality shall be subject to the SAFE Project Manager's or a designated representative's approval.

E. Labor

Only competent workers shall be employed for tasks under this Agreement. Any person found by SAFE to be incompetent, disorderly, working under the influence of alcohol or controlled substances, unsafe, or otherwise objectionable shall be removed by Consultant and not re-employed for services under the contract resulting from this RFP.

F. Inspection

All performance (including services, materials, supplies, and equipment furnished or utilized) shall be subject to inspection and approval by the SAFE Project Manager or a designated representative. Any SAFE authorized representative shall have access to the field office.

G. Condition of Site

Throughout the term of the Contract, Consultant shall keep call box sites clean and free of rubbish and debris (including removed pad material). All unnecessary materials and equipment shall be removed from the call box site immediately or as soon as the materials, tools, and equipment are no longer needed.

H. Reuse of Parts:

Consultant shall reuse parts that have been damaged or replaced assuming Consultant has repaired the parts, and ensures that functionality is not degraded and the integrity of the component is not compromised.

I. Reserve Inventory

Consultant is required to maintain a sufficient quantity of call box equipment, parts, and materials in stock in their local (within Riverside and/or San Bernardino County) field office to fulfill the requirements of this Statement of Work and its attachments. Replenishing the call box equipment stock is the sole responsibility and at the cost of the Consultant. The SAFE acknowledges any materials purchased by the Consultant that remain unused at the end of the contract are the property of the Consultant.

J. Storage of Materials

Consultant shall be responsible for storing and maintaining materials in a manner that preserves their quality and fitness for future use. Consultant shall store call box housings, electronics, poles, and other appurtenances within their warehouse. Consultant shall relinquish any and all remaining SAFE owned materials upon termination of the contract.

K. Communication

Consultant shall ensure that the lead field technician and staff have the necessary communication devices for interacting efficiently with the SAFE Project Manager, other designated representatives, and partner agencies. The devices to be provided by the Consultant must include, but are not limited to, a cell phone, office phone, fax machine, and email services with the capability to send and receive Microsoft Access® database or equivalent files.

II. CALL BOX MAINTENANCE SYSTEM

A maintenance system is currently in place to monitor the SAFE call box system whose information may need to be transferred to the awarded Consultant's maintenance system. SAFE is responsible for obtaining all call box data and providing it to the successful Consultant to be inputted into their maintenance system. The Consultant shall facilitate such transfer by working with SAFE to format data accordingly. The Consultant will not be compensated for maintenance tasks until the maintenance system is fully operational. SAFE retains ownership of all files containing call box related data provided to the Consultant. All such data including newly inputted data related to the tasks performed by the selected consultant shall be turned over to SAFE at the termination of the contract resulting from this RFP.

The Consultant's maintenance system shall be made compatible with the SAFE call box communication devices. It is the Consultant's responsibility to upgrade their maintenance system in order to perform the necessary maintenance tasks described in this section with the SAFE call boxes and the overall system. Consultant shall not change any devices in the call boxes to make them compatible with their maintenance system. Any changes and/or upgrades to the maintenance system shall be at the cost of the Consultant. All SAFE call boxes shall be monitored by a maintenance system and each box shall make one (1) call every three (3) days into the system for a diagnostic check up. The Consultant shall provide exception reports to the SAFE on the last day and 15th of each month outlining call boxes that have failed to report to the maintenance server after three (3) days.

In addition, the Consultant must record all work orders related to the call box system and other general information and specifications of each call box in the SAFE system as specified in a Microsoft Access® database. These work orders along with call box related general information must be easily retrievable and exportable into an Excel® spreadsheet or similar program. All information, including historical data, within the electronic database system must be accessible to the SAFE staff at any time via Internet connection or equivalent means acceptable to the SAFE Project Manager. The SAFE staff monitors all repairs done each month, the timeliness of such repairs, and the number of times each call box calls into the maintenance system via the maintenance system.

Consultant shall meet with SAFE Project Manager immediately after award of contract to finalize the needs and the layout of the Call Box System Database and to determine appropriate access for SAFE staff.

III. CALL BOX MAINTENANCE TASKS

The Consultant shall perform the following tasks and administrative tasks routinely throughout the term of the contract. All special projects work will be initiated through SAFE-issued Task Orders as described in Task F. Compensation for all work is described in Attachment B, Price Proposal.

Some call box repairs and maintenance tasks listed hereafter may need to be performed immediately if the repair needed is presenting a potential hazard or if call box components are broken off and in the way of traffic. Should Consultant need to pick up broken off parts, Consultant shall also repair that damaged call box at the same time to minimize the number of trips needed to repair the call box, to the extent reasonable. An inoperable call box shall be bagged by the Consultant if left unattended to make such trips.

In addition, at the request of SAFE, Consultant shall remove call boxes permanently from the system (Task E). Such removals may be necessary throughout the term of the contract.

Task A. Corrective Maintenance

Consultant shall perform corrective maintenance as needed on all call boxes. Corrective maintenance includes all repairs to the call box associated with electronics, transceivers, power supply (battery and solar panel), and the interface with the cellular system or anything that affects the proper function of the call box. All equipment and materials used to perform repairs must be removed immediately after completion of the repair. Corrective maintenance requires that the Consultant be accessible to the call box call answering center (CAC), CHP, and the SAFE Project Manager to report non-operational call boxes.

Upon notification that a call box is out of service from CHP, CAC, SAFE, or the maintenance computer, Consultant shall determine the cause and if due to general failure of the call box, Consultant shall take the necessary action to restore it to a good operating condition, including the repair or replacement of parts, components, and mountings as needed. Activities falling within the definition of corrective maintenance shall be completed by 4 p.m. on the same day for events reported by 8 a.m. on a workday. For events reported after 8 a.m., the call boxes shall be operable by 4 p.m. on the following workday. For events reported on a holiday or weekend, the call box shall be repaired by 4 p.m. on the first workday following notification of the event. Consultant shall provide management and field staff sufficient to perform repairs on call boxes within the established time periods. Should the Consultant not be able to meet these specified timeframes, Consultant must notify the SAFE Project Manager in writing and the reasons why such repairs shall be delayed.

If Consultant is unable to put a call box back in service during the first visit to the box after notification of its failure to perform, Consultant shall cover and attach a bag with the words "Out of Service" to the box and/or mounting pole. Consultant shall remove the bag once the box is back in service.

Task B. Preventive Maintenance

Consultant shall perform the following preventive maintenance tasks at least two (2) times a year, at approximately six-month intervals as necessary to keep call boxes clean and operational. Call boxes with adjunct devices shall be maintained similarly.

Consultant shall report to the SAFE Project Manager any unusual findings made while performing preventive maintenance. Some preventive needs may be reported by the SAFE Project Manager or its designated representatives and shall be addressed by Consultant on preventive maintenance visits.

The preventive maintenance activities for all call boxes, shall include, but are not limited to the following tasks:

- Cleaning, sanding off rust, and painting of call box housings as necessary;
- Checking call box housing door, magnet, and spring;
- Replacement or addition of outdated, damaged, or missing instruction placards and vandalism stickers;
- Removal of items not part of call box such as stickers and garbage bags;
- Inspection and anti-corrosion treatment of external electrical connections;
- Operational check of call box controls and system operational sequence including:
 - Perform voice test calls on each call box;
 - Check outer door, handset, and illumination for proper operation;
 - Check call connect light;
 - Check hook switch; and
 - Check cellular antennae and cable.
- Minor cleaning of the surrounding area of the call box (includes minor pruning, pulling of weeds and debris removal, spraying for insects);
- Visual inspection of the solar panel orientation and cleaning of the solar panel collecting surface;
- Testing of the TTY screen for brightness and legibility and testing of the TTY keyboard for functionality and keeping both clean. In addition, Consultant shall make one (1) TTY test call to the Call Box Answer Center from two (2) call boxes for which preventive maintenance was performed each day.
- Inspection and repair of the pedestrian pad;
- Inspection of path for wear and tear or vandalism;
- Maintenance of the call box mounting pedestals or other devices used for mounting the call boxes on sound walls; and
- Replacement of faded call box blue sign and missing letter and number stickers.

Consultant shall use preventive maintenance visits to protect boxes from corrosion and fading. The color of all call boxes shall fall between Pantone® yellow no. FL100 and Pantone® yellow no. FL123. Consultant shall replace or repair any such defective enclosures in a timely and satisfactory manner. Consultant shall receive approval from the SAFE Project Manager prior to proceeding with replacement.

Task C. Knockdown and Vandalism Repairs

Once informed of damage, consultant shall perform maintenance repairs and/or replacements required as a result of damage by collisions, vandalism, or other willful acts, and other such causes (including insect intrusion). Consultant may become aware of damage to call boxes in various ways, including receiving notification from the SAFE, the CAC, or the CHP, by observing the damage, or by receiving a signal from the call box's built-in sensor that it is no longer perpendicular to the ground. The knockdown repair limit will be at ten percent (10%) of the system total for the Fiscal Year.

1. Knockdown Repairs

Knockdown repairs shall be defined as services conducted by Consultant to restore call boxes to full operability after being knocked down by vehicle collision or other such causes. Consultant shall make work orders and other related information on a knocked down call box readily available to SAFE and/or its designated representative to assist in knockdown recovery efforts.

2. Vandalism Repairs

Vandalism repairs shall be defined as services conducted by Consultant to repair call boxes, their sites or their components damaged as a result of vandalism, willful acts, or other such causes (including insect intrusion). Such tasks shall include but not be limited to: replacing broken outer door, repairing ripped handset, removing graffiti from signs, and repairing damaged site material (pads, retaining walls, etc.). Consultant shall salvage any or all parts of the damaged call box as long as the integrity of the component is not compromised.

If no foundation work is required, Consultant shall have the call box placed back in service by 4 p.m. on the same day for knockdown or vandalism events reported by 9 a.m. on a workday. For damages reported after 9 a.m., the consultant shall have the call box back in service by 4 p.m. on the following workday. If foundation work is required, Consultant shall have the call box placed back in service by 4 p.m. on the second workday following notification. For events reported on a holiday or weekend, the call box shall be repaired by 4 p.m. on the first workday if no foundation work is required or by 4 p.m. on the second workday following the notification of the event if foundation work is required.

In some cases, knockdown and vandalism repairs may be needed as soon as possible because of a potential hazard. The SAFE Project Manager shall notify Consultant of such events. Upon confirmation from Consultant of receipt of phone or email notification, the Consultant will respond within a four (4) hour period.

Task D. Temporary Removal and Reinstallation

1. Temporary Removals

At the request of SAFE, Consultant shall remove call boxes from existing locations on an as-needed basis to accommodate freeway construction and other projects that come into conflict with SAFE call boxes. Whenever possible, SAFE will give one (1) week advance notice to Consultant of upcoming temporary removal. In special cases removals may be required immediately. SAFE retains ownership of call boxes authorized for removal, and Consultant shall store removed boxes at their location and make all removed call boxes available for reinstallation at any time. Consultant shall coordinate the removal, de-activation of long term temporary removals, and storage of call boxes as requested by Caltrans or the SAFE Project Manager.

Consultant shall also maintain proper inventory documentation. In some cases, Consultant may need to pick up boxes that are temporarily removed by Caltrans or its consultant at off site locations. Coordination for pick up shall be the responsibility of the Consultant. Some call boxes may be temporarily removed for several years, depending on the nature of the construction project. The temporary removal and reinstallation limit will be at five percent (5%) of the system total for the Fiscal Year.

2. Reinstallation

Once the construction project is complete and the call box removal is no longer needed, Consultant shall coordinate reinstallation and deferred installation tasks including permitting, site approval, installation, and reactivation. Consultant shall get the call box back in service within three weeks of when Consultant is notified of reinstallation. Some construction projects may cause the call box to be permanently inaccessible. In such cases, Consultant shall recommend new locations for the call boxes to SAFE. In the discretion of the SAFE Project Manager, such locations may also be selected for permanent removal rather than relocation. Should the call boxes have new sign numbers or phone numbers due to relocation, Consultant shall notify the SAFE Project Manager, CAC, and CHP immediately and reflect changes in the maintenance system.

Task E. Permanent Removals

At the request of SAFE, Consultant shall remove call boxes permanently from the system in accordance with current CHP/ Caltrans Call Box and Motorist Aid Guidelines. Such removals may be necessary throughout the term of the contract. The SAFE reserves the right to reduce the number of Call Boxes at any time during the term of this agreement. Consultant shall be responsible for all permanent removal activity including the cancellation of phone numbers with service provider. Permanently removed call boxes shall be returned to the SAFE's inventory.

Consultant shall store the removed call box with enclosure, pole, signs, solar panel, and assemblies at one or more of the locations for storage noted in this RFP. The stored materials and parts may then be used by Consultant in performing maintenance tasks only for the county SAFE system from which the materials and parts originated, subject to acceptance by the SAFE of the credit per removed site offered by the Consultant for the right to so use them.

Task F. Special Projects

Consultant may be requested to conduct special projects throughout the term of the Contract. Special projects may include but are not limited to: installation of new call boxes for SAFE, partner agencies, and other entities; removal or relocation of call boxes due to special circumstances; landline conversion of some call boxes; and/or special site evaluations related to the call box system.

All tasks under this Section will be initiated through SAFE issued Task Orders.

IV. ADMINISTRATIVE TASKS

Consultant shall be responsible for the administrative tasks detailed below in order to perform maintenance tasks. These administrative tasks shall be included within the flat rate for maintenance proposed by the Proposer.

A. Meetings, Field Surveys, and Correspondences

Consultant shall be required to attend meetings that relate to the call box system as requested by the SAFE Project Manager. Consultant shall respond to written and email inquiries regarding the call box system submitted by the SAFE Project Manager. In addition, coordination with SAFE staff may be required to assist in producing a monthly report of call box statistical information. At the request of the SAFE Project Manager, plans, drawings, maps, and other documents shall be provided by the Consultant to SAFE at no additional cost to SAFE.

B. Encroachment Permits

Encroachment permits are required prior to doing work on Caltrans-owned right of way. Consultant shall be the primary point of contact for Caltrans permit issues related to the system and shall coordinate final field surveys and field review meetings to approve or modify call box locations with Caltrans, CHP, and SAFE. Consultant shall prepare and submit encroachment permit applications to Caltrans, as required. Consultant shall comply with all terms of the permits, in particular any requirements related to lane closures necessary to complete the tasks under this RFP.

C. Inventory and Supplies

Consultant shall be responsible for the general upkeep of the consultant provided SAFE call box storage including tracking inventory of supplies, disposing of obsolete and irreparable parts, and organizing of components within the storage facility. SAFE occasionally sells used call box supplies to other vendors and may request Consultant to coordinate sale and delivery of such supplies.

D. Maintenance System Management

Consultant shall maintain and frequently update the call box maintenance system to reflect changes in site location, site type, etc. Consultant shall also maintain an accurate, up to date database containing information on the entire call box system.

The Call Box System Database shall include all information relating to system components. This information includes, but is not limited to, controller card type, transceiver model and type, and TTY device type. Fairly recent digital call box pictures and complete latitude and longitude data shall also be included.

The Call Box System Database shall include, at a minimum, the following maintenance information on the call box system:

- Description of all corrective maintenance visits including the call box sign number, date and time of work issue date, date and time of visit, date and time work completed (if different from the first visit), and description of work performed;
- Description of preventive maintenance visits including the call box sign number, date and time of visit, and description of work performed if it deviates from the standard preventive maintenance requirements;
- Description of other site work including, but not limited to the following: knockdowns, vandalism, sign repair, other repairs, site repairs, CHP reported,

- removals, reinstallations, and pad replacements. These entries shall also include the work issue date and time (alarm date where applicable), site visit date and time, sign number, and date and time of completion.

The Consultant shall provide the following reports and data at the interval defined:

- Call Box System Database, monthly
- Call Box Maintenance Exception Report – a report of call boxes that have failed to report into the maintenance system after 3 days, twice a month
- Call Box PM Report, monthly – a report of the call boxes visited that month including the date and time and description of work completed
- Call Box CM Report, monthly – a report of call boxes visited that month including the date and time and description of work completed

Consultant shall furnish their own digital camera, GPS devices, and other devices or equipment necessary to provide the above information in the maintenance system. Consultant shall keep the maintenance system updated and current to prevent misinformation.

Some specifications of the Call Box System Database and overall maintenance system may be altered by Consultant with prior written approval from the SAFE Project Manager. At the request of the SAFE Project Manager, additional information in the Call Box System Database may be added or unnecessary information deleted.

As stated above, all information, including historical data, within the maintenance system must be accessible to the SAFE staff at any time via Internet connection or equivalent means acceptable to the SAFE Project Manager. The SAFE staff monitors all repairs each month, the timeliness of such repairs, and the number of times each call box calls into the maintenance system via the maintenance system.

E. RECOVERY SERVICES

Consultant shall keep the pricing sheet updated and submit the most up-to-date pricing sheet on a quarterly basis to SB SAFE and the Call Box Recovery Services consultant. In addition, each time the pricing sheet is updated the materials and equipment listed on the technician's work order must be submitted with the monthly invoicing and should be updated accordingly. Therefore, all materials and equipment listed on the work orders should have a corresponding item on the Cost Summary Sheet/Pricing Sheet.

Consultant is responsible for working collaboratively with the Call Box Recovery Services consultant and to respond to that consultant's inquiries within 72 hours in order to facilitate the timely cost recovery of damaged call boxes.

End of Statement of Work

ATTACHMENT B- PRICE FORMS

ATTACHMENT B

Price Proposal

PP1. Per site flat rate monthly maintenance fee per active call box for all work specified in Appendix A, Statement of Work:

- Corrective Maintenance;
- Preventive Maintenance;
- Knockdown and Vandalism Repairs;
- Temporary Removals and Installations;
- Administrative Tasks;
- Coordination of removals, storage, and re-installation;
- Call Box System Database Maintenance and updates;
- Maintenance of Plans and specifications;
- Rights of entry and permits; and
- Reports to SAFE

\$ 33.00 per call box / per month for RC SAFE

\$ 33.00 per call box / per month for SB SAFE

PP2. Time and material costs for various call box site type installations that comply with Caltrans Motorist Aid Call Box Guidelines and pricing list for materials expected to be used (attach additional sheet if necessary):

\$ See Attached for RC SAFE

\$ See Attached for SB SAFE

PP3. Upgrade/Set up cost for Maintenance System:

\$ 0.00 (onetime fee) for RC SAFE

\$ 0.00 (onetime fee) for SB SAFE

PP4. Per site flat fee for permanent removals (check basis for calculating):

During PM Separate from PM

\$ 400.00 per permanent removal for RC SAFE

\$ 400.00 per permanent removal for SB SAFE

~~PP4. Credit to the SAFE for the right to use the equipment and materials removed:~~

~~\$ 100.00 per permanent removal for RC SAFE~~

~~\$ 100.00 per permanent removal for SB SAFE~~

Per Addendum #1 to RFP 13-45-102-00, SB SAFE does not offer credit for materials, but may consider a credit for removed materials on a case by case basis. If approved, it must be in writing. If SB SAFE customer inventory is ever used, it must be noted on the technician's work order.

PP2.

CASE Systems Inc. Time and Material Costs for Various Site Types for Compliance with Motorist Aid Call Box Guidelines

Prices apply to both San Bernardino and Riverside SAFE.

Description of Improvements	Materials Cost	Labor Cost	Extended Price
Site 1 - Site Conversion- lower box on pole	\$ 0.00	\$ 325.00	\$ 325.00
Site 2 - Pad Replacement	\$ 650.00	\$ 250.00	\$ 900.00
Site 3 - Relocation of Call Box	\$ 335.00	\$ 380.00	\$ 715.00
Site 4 - Removal of Call Box	\$ 0.00	\$ 400.00	\$ 400.00
Site 5 - Removal of Backwall, Handrail	\$ 0.00	\$ 400.00	\$ 400.00

Prices include all costs: labor and material and tax to restore site including hauling waste (timber, pads, and handrail) from site.

Parts List For Site Compliance	Part #	Unit Price	
Pole - (blank for drill template)	5870-0067	\$ 473.00	ea
Pole - USED	5870-0067-99	\$ 132.00	ea
Non-auger foundation	5870-0004	\$ 277.00	ea
60" x 60" composite pad	5870-0070	\$ 650.00	ea
Rapidset concrete	7000-0066-1	\$ 15.90	ea
Mounting Hardware	3090-0058	\$ 11.57	ea

The CASE Systems Inc. Universal Call Box Parts Price List follows this page.

SPECIAL PROJECTS

Satellite call boxes/per unit \$8,500.00 ea
 Satellite charge per box/monthly \$ 35.00 ea
 Air time for satellite call box \$ 1.45 minute
 Cost for maintenance to satellite call box outside \$2,500.00 ea
 of corrective/preventive maintenance. \$2,500 represents a broad range of possible repair costs, with the expectation that none will exceed \$2,500. It is the understanding that some repair costs may be as little as \$100 for example, but none greater than \$2,500.

Paint entire call box housing \$ 75.00 ea

CALIFORNIA SAFE UNIVERSAL PRICE LIST

For San Bernardino and Riverside SAFE Programs

2013

New Call Box Assembly Purchases

Digital Lexan Call Box Assembly		\$ 2,898.37	ea
Digital TTY Lite Lexan Call Box Assembly		\$ 4,243.17	ea
Solar Powered Satellite (non TTY) Call Box Assembly		\$ 8,690.67	ea
AC Powered Wireline Call Box Assembly		\$ 2,898.37	ea
BlueTOAD equipped Call Box Assembly		\$ 6,990.37	ea
Multi Button Call Box		\$ 3,153.98	ea
20W Solar Panel Assembly		\$ 453.81	ea
Antenna Assembly w/ cable - dual band		\$ 138.85	ea

Maintenance Items for Lexan Call Box Projects

Site Material

Pole - (blank for drill template) includes labor for drilling	5870-0067	\$ 473.00	ea
Pole - USED	5870-00xx	\$ 131.19	ea
Saddle (pole mounting) - NEW	5004-0087	\$ 47.97	ea
Saddle (pole mounting) - USED	5004-0087-98	\$ 19.18	ea
Wall mount pole (D-mount)	5870-0017	\$ 295.65	ea
K-mount barrier saddle mount	5870-0013	\$ 274.94	ea
Barrier mount pole (K-mount)	5870-0014 or 5870-0029	\$ 478.34	ea
Hilti anchor bolts (set of 4 bolts)	6040-4061	\$ 108.23	ea
Sign generic fiberglass (FRP) w/ reg numbers	3090-xxxx various	\$ 101.41	ea
Sign Diamond FRP or Alum w/ HR numbers	3090-xxxx various	\$ 193.75	ea
Sign Diamond & Anti-Graffiti w/ HR numbers	3090-xxxx various	\$ 230.72	ea
Sign bracket wall mount	5004-0049	\$ 105.87	ea
Solar bracket post wall mount	5870-0017	\$ 239.47	ea
Installation kit	6040-4035	\$ 133.89	ea
Mounting hardware	3090-0058 or 3090-0059	\$ 11.83	ea
Sign hardware	6040-4037	\$ 35.53	ea
Wind brackets	3090-0086	\$ 22.17	ea
Auger foundation	5870-0015	\$ 274.94	ea
Non-auger foundation	5870-0004	\$ 274.94	ea
60" x 60" composite pad	5870-0070	\$ 664.58	ea
Rapidset concrete	7000-0066-1	\$ 16.26	ea
General purpose cement	7000-0066	\$ 4.43	ea
Tapco handrail (V-Loc)	5870-0046	\$ 209.11	ea
Conduit and fittings (wall mount)	6040-4051	\$ 260.16	ea

CALIFORNIA SAFE UNIVERSAL PRICE LIST

For San Bernardino and Riverside SAFE Programs

2013

Call Box Parts			
Lock cover	5014-0036	\$ 19.22	ea
Handset and armored cord	3090-0121	\$ 128.61	ea
Yagi antenna - dual band	4210-0079	\$ 181.82	ea
Corner reflector antenna	4210-0015	\$ 228.86	ea
Tri-band Antenna	4210-0067	\$ 103.37	ea
Mount for corner reflector or Yagi	5014-0022	\$ 173.79	ea
10W solar panel with bracket - USED	6040-4063-98	\$ 115.88	ea
20W solar panel with bracket	6040-4057	\$ 453.81	ea
RF cable to antenna	6060-0436	\$ 35.48	ea
Solar cable to solar panel	6060-0130	\$ 35.48	ea
Misc other smaller cables and harnesses	6060-xxxx various	\$ 35.49	ea
Main housing (assembly)	6040-4011 or -4011-09	\$ 541.20	ea
Main housing (assembly) - USED repainted	6040-4011-98	\$ 216.48	ea
Main housing with Front Door & Handset (pushbutton)	6040-4011-18	\$ 862.94	ea
Main housing with Front Door & Handset (drilled for TTY)	6040-4011-20	\$ 862.94	ea
Front door (assembly)	6040-4010	\$ 193.13	ea
Front door (assembly) - USED Repainted	6040-4010-98	\$ 56.97	ea
Back door (assembly)	6040-4026	\$ 223.86	ea
Back door (assembly) - USED Repainted	6040-4026-98	\$ 89.55	ea
Transceiver mounting plate	5004-0051	\$ 36.95	ea
Handset and armored cord	3090-0311	\$ 128.61	ea
17AH rechargeable battery	4240-0001	\$ 82.79	ea
Battery bracket - 17A	5004-0048	\$ 20.69	ea
Call Box Electronics			
Aurora Controller Board	6020-0300	\$ 650.35	ea
Interface Board to Aurora Input/Output	6020-0449	\$ 283.72	ea
Digital Radio - TC65 or M200 radio module	5203-0031 or 5204-0051	\$ 373.59	ea
TTY Lite Controller Board	6020-0740	\$ 624.19	ea
TTY Lite Illuminated LCD display assembly	6040-0246	\$ 697.96	ea
TTY Keypad	6040-0251	\$ 283.73	ea

134

CALIFORNIA SAFE UNIVERSAL PRICE LIST

For San Bernardino and Riverside SAFE Programs

2013

Call Box Upgrade Options (Single Unit Pricing)			
Controller Board Upgrade Kit	6000-0548	\$	918.33
CDMA M200 radio Upgrade kit	6000-0549-03	\$	729.41
GSM TC65 radio Upgrade kit	6000-0549-04	\$	551.00
Digital Upgrade — GSM	6000-0449-10-1	\$	1,449.18 ea
Digital Upgrade — CDMA M200	6000-0449-11	\$	1,449.18 ea
Lexan TTY Lite Upgrade Kit	6000-0550-03	\$	1,344.81 ea
Combined Digital Upgrade and TTY Upgrade Kit	various by kit number	\$	2,794.00 ea
Labor Rates			
Shop Labor Rate	7000-00XX	\$	99.08 hour
Field Labor Rate	7000-00XX	\$	99.08 hour

NOTES:

Prices not valid for call boxes modified by third parties.

All prices subject to CPI revision on an annual basis. These prices are valid through April 2014.

CASE Systems reserves the right to adjust pricing in response to changes in requirements from customer and/or other agencies, etc.

Prices exclusive of any special subcontracting requirements imposed by customer.

Hourly rates exclude charges for special equipment.

Special equipment (bucket truck, lane closures, etc.) when required will be billed separately

Prices are FOB by project office located in CA and do not include any applicable Sales Tax.



- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 12

Date: May 8, 2013

Subject: National Bike Month (May) and status report on SANBAG Active Transportation activities

Recommendation:* That the Committee receive information on National Bike Month and a status report on SANBAG Active Transportation activities.

Background: May is National Bike Month, sponsored by the League of American Bicyclists and is celebrated in communities from coast to coast. Bike-to-Work Week is May 13-17 and Bike-to-Work Day is Friday, May 17. In recognition of Bike Month, SANBAG has upgraded its website to include additional material on both our own active transportation activities as well as links to other resources to encourage bicycle transportation. You may view the new material through the link on our SANBAG home page at www.sanbag.ca.gov.

With increased interest in healthy, sustainable and economic transportation options, the number of bicycle commuters in the U.S. grew significantly in recent years including in San Bernardino County. SANBAG and the member jurisdictions have increased bicycle commuters by working to create more bicycle friendly neighborhoods and providing partnership programs between community groups.

*

Approved
General Policy Committee

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

COG		CTC	X	CTA		SAFE		CMA	
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Check all that apply.
 GPC1305a-jl

In recognition of National Bike Month, SANBAG would like to update the Committee on the status of non-motorized transportation or “Active Transportation” activities in San Bernardino County. As a note, SANBAG staff provided the Board members with a status update of the bicycle facility development last year on March 13, 2012. With the increased demand for bicycle facilities around the region, staff is committed to implementing active transportation policies outlined in the 2011 San Bernardino County Non-Motorized Transportation Plan, within available resources.

On April 6, 2011, the Board of Directors approved the 2011 update to the San Bernardino County Non-Motorized Transportation Plan (NMTP), which contains an extensive amount of information on current conditions and future plans for pedestrians and bicyclists. Specifically, the NMTP details plans for each jurisdiction, policies for encouraging active transportation, guidelines for developing non-motorized infrastructure, and implementation priorities for regional projects. It also identifies priority projects for each jurisdiction.

The network of projects in the NMTP was then incorporated into Southern California Association of Governments’ (SCAG’s) 2012 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The RTP/SCS has a major emphasis on active transportation, with a projected investment of \$6 billion in regional bicycle, walking, and related infrastructure through 2035.

Since the adoption of NMTP and RTP/SCS, SANBAG has made significant progress toward the bicycle systems that these plans envision. In early 2011, San Bernardino County had 468 miles of existing Class I, II, and III bicycle facilities since the adoption of NMTP. Class I facilities are separated bicycle/pedestrian trails; Class II represent bicycle lanes; and Class III represent signed bicycle routes. Since then, at least 30 or more miles have been added to bring the total to almost 500 miles.

The approximate share of SCAG’s \$6 billion funding target for San Bernardino County, based on population, would be \$600 million through 2035, or over \$20 million per year over the 27-year life of the RTP/SCS. This is substantially above SANBAG’s historical direct funding level for bicycle facilities. However, when one considers the roadway construction and widening projects that include bicycle lanes or

routes, the historical funding levels are more substantial. The next section of this item provides an overview of funding opportunities for bicycle facilities.

There are two main components of the SANBAG active transportation program. The first component is assisting and partnering with local jurisdictions with funding and delivery of the active transportation projects identified in the NMTP. The other component consists of active transportation planning and studies in partnership with various stakeholders from government agencies to community based organizations. SANBAG and the local jurisdictions in San Bernardino County are aggressively pursuing planning and construction of active transportation projects throughout the County.

Funding/Grant Opportunities

There are a number of funding sources available to plan and deliver active transportation projects. Some of the most significant funding sources potentially applicable to the planning, development, and construction of bicycle facilities in San Bernardino County include:

- California State Active Transportation Program (ATP)
- Transportation Development Act (TDA) Article 3
- Congestion Mitigation and Air Quality (CMAQ)
- Highway Safety Improvement Program (HSIP)
- SANBAG Measure I Funding
- SCAQMD AB2766 - Motor Vehicle Subvention Fund Program and Mobile Source Air Pollution Reduction Review Committee (MSRC)
- SCAG Sustainability Program (e.g. Compass Blueprint)
- Caltrans Transportation Planning Grant Program
- Cap-and-Trade Auction Proceeds (state)
- Private Funding Sources (e.g. Robert Wood Johnson Foundation, The California Endowment, and Kaiser Permanente)

California State Active Transportation Program (ATP):

Governor Brown has proposed an Active Transportation Program (ATP) that consolidates five existing programs currently managed by Caltrans' Division of Local Assistance:

1. Transportation Alternatives (federal MAP-21) \$72M
2. Safe Routes to School (state) \$24M
3. Safe Routes to School (federal MAP-21) \$21M
4. Bicycle Transportation Account (state) \$7M
5. Environmental Enhancement and Mitigation (state) \$10M

This proposal came out of a Department of Finance effort to achieve greater efficiencies in the grant application and administration process. From the perspective of advancing active transportation in the region, the consolidation of these programs into the ATP presents new opportunities and challenges for San Bernardino County as a region.

MAP-21 indicates that 50% of the funding would be distributed by the state to the Metropolitan Planning Organizations (MPOs), and the remaining 50% of the funds would be distributed by the state. SANBAG is working with other county transportation commissions to emphasize the need to preserve equity through the funding distribution process.

SANBAG hosted a highly successful workshop on funding for active transportation projects in February 2013, with particular emphasis on opportunities within the Caltrans bicycle grant programs.

Transportation Development Act Article 3 Funds

The TDA provides that 2% of the Local Transportation Funds (LTF) be made available to counties and cities for facilities for the exclusive use of pedestrians and bicyclists, known as TDA Article 3 Program. In August 1999, the SANBAG Board approved a policy that 20% of the Article 3 program would be made available for projects that improve access to transit stops for pedestrians and persons with disabilities. The remaining 80% would be available for other pedestrian and bicycle projects. Eligible expenditures on the 80% portion of pedestrian and bicycle projects include:

1. Preliminary engineering leading to construction of pedestrian or bicycle facility;
2. Right-of-way acquisition necessary for pedestrian or bicycle facility;
3. Construction or reconstruction of Class I, II and III bicycle facilities and sidewalks;
4. Provision of curbs, gutters and driveway ramp paving on a sidewalk project; and

5. Purchase and installation of bicycle lockers and/or racks at major employment centers, park-and-ride lots and transit terminals.

SANBAG receives approximately \$1.4 million in TDA Article 3 funding annually. Projects are identified through a periodic call-for-projects. In December 2011, the Board awarded \$3,775,514 for Pedestrian and Bicycle Projects. In 2013, a total of \$3,810,026 of Article 3 Bike and Pedestrian funds are estimated to be available for award. This amount includes two years of revenue plus other unused/returned funds. A call for projects for TDA Article 3 was made on March 6, 2013 and is due May 8, 2013.

Congestion Mitigation Air Quality (CMAQ) Funds

The CMAQ program was re-authorized in MAP-21. The purpose of the CMAQ Program is to fund transportation projects or programs that contribute to the attainment and maintenance of the National Ambient Air Quality Standards for ozone and carbon monoxide.

SANBAG has been using most of the county's CMAQ funding for regional highway and transit projects (i.e. high occupancy vehicle lanes, signal synchronization, and transit vehicle acquisition, etc.). Design, engineering, right-of-way acquisition and construction of bicycle facilities (Classes I, II or III) are eligible for CMAQ funding. SANBAG has historically received over \$20 million in CMAQ funding annually, but little has been used for bicycle facilities.

Highway Safety Improvement Program (HSIP)

The Safe, Accountable, Flexible, Efficient Transportation Equity Act established the Highway Safety Improvement Program (HSIP) as a core Federal-aid program. The overall purpose of this program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads through the implementation of infrastructure-related highway safety improvements.

Currently, Safe Routes to School (SRTS) program has been proposed to be eliminated as a separate funding source, and is now lumped into the overall program of ATP. However, there is a bill (AB1194) that would leave SRTS as separate funding program (estimated at \$46M/year). Due to this uncertainty, SRTS projects are now eligible for cycle 6 of the

HSIP as long as all criteria for HSIP's Benefit/Cost are established. SANBAG is making sure that the revised information is disseminated to the local jurisdictions.

Measure I Funds

The Measure I 2010-2040 Expenditure Plan identifies funding by subarea and program for highway and transit projects. Class II and Class III bicycle facilities may be incorporated into highway projects under the Valley Major Street, Mountain/Desert Major/Local Highways Programs, and any of the Local Street Programs. Pedestrian and bicycle-related access improvements may be incorporated into larger Measure I funded transit projects. In addition, the Traffic Management Systems (TMS) Programs in each subarea allow for funds to be used for planning and project development and for "projects which contribute to environmental enhancement associated with transportation facilities." While this does not explicitly list bicycle facilities, the planning, development, and matching funds for construction of such facilities can be viewed as a legitimate application of those funds. The TMS category receives 2% of Measure I funds in each subarea.

AB2766 - Motor Vehicle Subvention Fund Program and Mobile Source Air Pollution Reduction Review Committee (MSRC)

AB2766 is a Motor Vehicle Registration fee surcharge of \$6 per vehicle. It is collected by the Department of Motor Vehicles and subvented to the SCAQMD for disbursement. Since 1991, local governments have received AB 2766 funds to implement programs that reduce air pollution from motor vehicles.

Out of the \$6 collected, \$4 of the registration fee is divided into 40 percent for local governments (subvention portion), 30 percent to the Mobile Source Air Pollution Reduction Review Committee (MSRC), and 30 percent to the SCAQMD for its vehicle emission reduction programs. The AB 2766 Subvention Program provides a funding source for cities and counties to meet requirements of federal and state Clean Air Acts, and for implementation of motor vehicle emission reduction measures in the SCAQMD Air Quality Management Plan (AQMP).

Regarding active transportation, the subvention portion can be used for various bicycle related projects such as alternative mode signalization,

bike trail and bike path improvements, bicycle facilities, and non-motorized transportation research projects. The MSRC portion will be adding bicycle projects and programs for their next round of calls for projects.

Examples of AB 2766 funds spent on bicycle projects in San Bernardino County include:

- Chino Hills Fairfield Ranch Road Bike Path Lane Painting: \$38,210
- Fontana Pacific Electric Trail Segment 6: \$523,821
- Yucaipa 7th Street Curb, Gutter, Sidewalk: \$61,393
- Rancho Cucamonga Bike Lockers: \$19,309

SCAG Sustainability Program (e.g. Compass Blueprint)

The planning of active transportation projects is equally important, and the fund sources and grant programs for planning differ from those available for construction. Grants are a common funding source for active transportation planning projects. Although many local jurisdictions, as well as SANBAG, aggressively apply for various types of active transportation planning grants, the results are uncertain due to the competitive nature of the grants.

The primary regional planning grant program is the SCAG Sustainability Program, which now incorporates the popular Compass Blueprint program. The Sustainability Program combines the Compass Blueprint assistance for integrated land use and transportation planning with new Green Region initiative assistance aimed at local sustainability and Active Transportation assistance for bicycle and pedestrian planning efforts.

With the recent adoption of the region's first Sustainable Communities Strategy (SCS) and its emphasis on active transportation, the program will focus on voluntary efforts that will contribute to implementing the SCS, including active transportation projects. SANBAG will be submitting active transportation related applications such as bicycle route mapping phone application, complete streets implementation strategy, a regional safe routes to school inventory, and/or a regional way-finding study.

Caltrans Transportation Planning Grant Program

Another popular planning grant for active transportation is Caltrans Transportation Planning Grant program. This year, SANBAG and the cities of Rialto, Rancho Cucamonga, and Victorville have submitted a total of five applications to Caltrans. All of the submitted proposals have active transportation components built into the project.

Caltrans awards approximately \$9 million in funding through six planning grant programs annually. These programs provide monetary assistance for transportation planning projects to improve mobility and lead to the programming or implementation phase for jurisdictions. The Caltrans transportation planning grant program includes:

- Community-Based Transportation Planning
- Environmental Justice
- Partnership Planning
- Statewide or Urban Transit Planning Studies
- Rural or Small Urban Transit Planning Studies
- Transit Planning Student Internships

Examples of grants awarded to San Bernardino County jurisdictions for active transportation include:

City of Big Bear Lake: Community-Based Transportation Planning - Big Bear Valley Pedestrian, Bicycle, and Equestrian Master Plan

City of Ontario: Community-Based Transportation Planning - Holt Boulevard Corridor Pedestrian Mobility and Streetscape Strategic Plan

SANBAG: Statewide or Urban Transit Planning Studies - Improvement to Transit Access for Cyclists and Pedestrians. Note that SANBAG has recently been awarded the Planning Implementation Award for a Large Jurisdiction from the American Planning Association (APA) Inland Empire Chapter (May 2, 2013). It will move on to the next level of the competition with the California Chapter of APA in the same category.

Private Funding Sources (e.g. Robert Wood Johnson Foundation, The California Endowment, and Kaiser Permanente)

In recent years, due to the increased awareness of the active transportation and its related benefits to public health, quality of life, safety, and economy, funding from the private foundations have also increased. Some of the cities in the County have taken full advantage of the relationship and have successfully leveraged funds toward this new partnership.

Public health practitioners have realized that people travel for work, school, shopping, or play, and how individuals and society travel has public health impacts that go far beyond the seemingly simple act of going from one place to another. This common trait provides an ideal partnership linkage for public health and transportation. In a time of tight budgets, limited resources, declining workforce numbers and growing health problems, creating opportunities for safe bicycling and walking can provide public health and transportation industries an opportunity to strive for a common goal.

With the adoption of RTP/SCS, SCAG is beginning to consider public health and active transportation together. SANBAG is also actively engaged in pursuing partnership efforts with the public health sector, mainly anchored by the San Bernardino Countywide Vision's Infrastructure and Wellness Elements. SANBAG is part of a steering committee of the Wellness Element called Community Vital Signs (CVS) where currently, data are being collected to be used as health indicators, including data related to the built-environment and active transportation. Also in April, SANBAG hosted a San Bernardino County Active Transportation Network (SBCATN) meeting where government agencies, community based organizations, bicycle clubs, and advocates met to discuss priorities for active transportation projects and policies in San Bernardino County. The group will continue to meet and partner on common issues surrounding active transportation in San Bernardino County.

In the past, on a city level example, Rancho Cucamonga obtained Robert Wood Johnson Foundation Grant to increase their work effort for their Healthy RC program. Healthy RC encourages a healthy and sustainable lifestyle for residents of the city. "Healthy RC is developing a wide range of programs, policies, infrastructure and events to help build

and maintain healthy minds, healthy bodies and a clean and sustainable earth.”

Regional Active Transportation Projects

SANBAG and the local jurisdictions in San Bernardino County are aggressively pursuing planning and construction of Active Transportation projects throughout the County. Substantial portions of the Pacific Electric Trail and the Santa Ana River Trail have already been constructed. SANBAG and several jurisdictions are partnering to complete these and other regional active transportation projects. There are regional trail system segments that are in pursuit of federal funds.

Pacific Electric Trail in Rialto

The project involves construction of the last segment of the Trail that remains to be completed, which will provide a continuous facility from the San Bernardino City limits to the Los Angeles County Line. The segment is approximately 1.2 miles long and runs parallel to Foothill Boulevard. The proposed project will connect with the existing Pacific Electric Inland Empire Trail at the city limits (Maple Avenue) and continue to the planned termination point at Riverside Avenue. As planned, the Trail will travel through the middle of the City of Rialto where it will eventually lead to the Rialto Civic Center, Library, Police Station, Fire Administration, and the Downtown Rialto business district.

Santa Ana River Trail – Phase 3

This project involves construction of a 3.6 mile Class I Bikeway running from Waterman Avenue in the City of San Bernardino to California Street in the City of Redlands. The Santa Ana River Trail (SART) serves as the regional backbone to numerous city and community trails planned for future development. The SART corridor offers unique and diverse natural settings through eight geographic regions extending over 100 miles from the Pacific Ocean to an 8,600-foot elevation in the San Bernardino National Forest.

The estimated construction cost is \$2.7 million, which includes a temporary alternate route around the Mission Zanja Channel and BNSF rail line.

Mojave Riverwalk Trail

The Mojave Riverwalk trail and bike path is a non-motorized multi-use trail, accommodating cyclists, walkers, joggers and hikers. The purpose of the project is to provide a safe alternative transportation link between Old Town Victorville, the Victorville Transportation Center and Victorville College. The project is proposed to extend approximately 9.5 miles from Interstate 15 to Victor Valley College via Hesperia Road to 6th Street at Mojave River. The overall cost is estimated at \$9.5 million.

There are numerous other bicycle facility projects in the process of development by local jurisdictions. The last several TDA Article-3 Calls for Projects have been oversubscribed, indicating that jurisdictions are actively readying projects for funding and implementation. A future agenda item will indicate the list of projects for which TDA Article-3 funds are being applied.

- Financial Impact:*** This item has no impact on the current Fiscal Year 2012/2013 budget.
- Reviewed By:*** This item is not scheduled for review by any other policy committee or technical advisory committee.
- Responsible Staff:*** Josh Lee, Transportation Planning Analyst



- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 13

Date: May 8, 2013

Subject: Amendment No. 1 for Contract No. C11174 Valley Transportation Services

Recommendation:* That the Committee recommend the Board approve Amendment No. 1 to Contract No. C11174 with Valley Transportation Services.

Background: In September 2010, the San Bernardino Associated Governments (SANBAG) Board of Directors approved Resolution No. 11-004 designating Valley Transportation Services (VTrans) as the Consolidated Transportation Services Agency (CTSA) for the San Bernardino Valley, making VTrans eligible for funding from the Valley Measure I Senior and Disabled Transit (VSDT) Program. Contained in the resolution was the finding that SANBAG will provide at least 2% of the revenues collected in the Valley to VTrans for the creation and operation of the CTSA, as outlined in the Measure I 2010-2040.

Subsequently on May 4, 2011, the Board approved Contract No. C11174 with VTrans for the operation of a CTSA in which VTrans would provide for the coordination of transit services for seniors and disabled persons within the Valley. In accordance with the agreement, the SANBAG Board has approved the VTrans five-year business plan as well as their By-Laws; both of which are required to be updated based on terms under the contract. The contract detailed the requirements for receiving Measure I funds for operations with a set term of three (3) years, which ends on June 30, 2013.

*

Approved
 General Policy Committee

Date: _____

Moved: _____ Second: _____

In Favor: _____ Opposed: _____ Abstained: _____

Witnessed: _____

COG	CTC	CTA	X	SAFE	CMA
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Check all that apply.

GPC1305a-mmm

<http://portal.sanbag.ca.gov/mgmt/APOR-Mgmtnt/Shared%20Documents/C11174-01.doc>

The current amendment proposes to allocate and disburse funds based on actual receipts received by SANBAG rather than identifying specific dollar amounts as included in the original agreement. While this amendment does not provide a specific dollar amount for a contract value, funds will be allocated and disbursed in accordance with the Measure I Ordinance No. 04-01 and the Measure I 2010-2040 Strategic Plan Policy 40009 for the VSDT Program.

Additionally, the agreement outlines qualified expenditures must be in accordance with the Strategic Plan, SANBAG's approved guideline for the use of Measure I funds; VTrans' five (5) -Year Business Plan, to be approved by SANBAG as specified in this Contract; and VTrans' current annual budget, also to be approved by SANBAG. This process allows for efficient tracking and elimination of overages or shortages that may have occurred with the previous process of lump sum allocations. Staff will provide to the SANBAG Board for approval annual allocation estimates for VTrans. VTrans' revenues and expenditures will be audited annually, and SANBAG will perform performance reviews to insure that adequate progress is being made toward the goals and purposes of the program.

The new agreement also strengthens SANBAG's protections against liability that might be generated by VTrans' operations by bringing the indemnity language up to date and requiring VTrans to carry insurance naming SANBAG as an additional insured party. These changes are part of the General Counsel's efforts to increase SANBAG's legal protection and update all of SANBAG's funding agreements over time as they become due for renewal.

Lastly, within the contract amendment is a term extension date for five (5) years, which would extend the agreement term to June 30, 2018. This would be a minimal change from the original agreement that had a three (3) year term.

Financial Impact: This item is consistent with both the Fiscal Year 2012/2013 SANBAG budget.

Reviewed By: This item is not scheduled for review by any other technical advisory committee or policy committee. SANBAG General Counsel, Contract Administrator and Fund Administration have approved this item and the Amendment.

Responsible Staff: Monica M. Morales, Transit Specialist



CONTRACT SUMMARY SHEET

Contract No. C 11174 Amendment No. 01

By and Between

San Bernardino Associated Governments and Valley Transportation Services

Contract Description Operation of a Consolidated Transportation Services Agency

Board of Director's Meeting Date: May 1, 2013
Overview of BOD Action: Approve Amendment No. 1 to C11174 with Valley Transportation Services
Is this a Sole-Source procurement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

CONTRACT OVERVIEW					
Original Contract Amount	\$	5,254,303.00	Original Contingency Amount	\$	
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	2% Valley MSI collections	Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$	
Current Amendment Amount	\$	N/A	Contingency Amendment	\$	
TOTAL CONTRACT VALUE	\$	2% Valley MSI collections	TOTAL CONTINGENCY VALUE	\$	
TOTAL BUDGET AUTHORITY (contract value + contingency)					\$ 2% of Valley Measure I collections

Contract Start Date 5/4/11	Current Contract Expiration Date 6/30/13	Revised Contract Expiration Date June 30, 2018
Has the contract term been amended? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes - please explain. Amendment brings funding in line with Measure I Strategic Plan, Policy 40009, which provides for 2% pass through of Valley Revenues and extends term for five years		

FINANCIAL INFORMATION					
<input checked="" type="checkbox"/> Budget authority for this contract currently exists in Task No. 0310.					
<input type="checkbox"/> A Budget Amendment is required. How are we funding current FY? Measure I Senior & Disabled					
<input type="checkbox"/> Federal Funds	<input type="checkbox"/> State Funds	<input type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input checked="" type="checkbox"/> Measure I Funds	
Provide Brief Overview of the Overall Funding for the duration of the Contract: Measure I Senior & Disable					
<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable					

CONTRACT MANAGEMENT INFORMATION	
Check all applicable boxes: <input type="checkbox"/> Retention? If yes, indicate % _____.	
<input type="checkbox"/> Disadvantaged Business Enterprise (DBE) Goal _____ %	

Project Manager (Print Name)	Signature	Date
Task Manager (Print Name)	Signature	Date
Dir. of Fund Admin. & Programming (Print Name)	Signature	Date
Contract Administrator (Print Name)	Signature	Date
Chief Financial Officer (Print Name)	Signature	Date

CONTRACT NO. C11174-01

AMENDED AND RESTATED

**SAN BERNARDINO ASSOCIATED GOVERNMENTS
AND
VALLEY TRANSPORTATION SERVICES
FOR**

The operation of a consolidated transportation services agency to provide for the coordination of transit services for seniors, persons with disabilities and persons of low income.

This Contract is made as of the Effective Date as defined herein, by and between San Bernardino Associated Governments, the County Transportation Commission and County Transportation Authority (hereinafter "SANBAG"), and Valley Transportation Services (hereinafter "VTrans").

RECITALS

WHEREAS, SANBAG in its capacity as the County Transportation Commission is the designated transportation planning agency for San Bernardino County and in its capacity as the County Transportation Authority is the responsible agency for the administration of Measure I, the retail transactions and use tax approved for transportation purposes; and

WHEREAS, SANBAG in its capacity as the County Transportation Commission is required in Section 6680 of Title 21 of the California Code of Regulations to designate an entity as the Consolidated Transportation Services Agency (CTSA); and

WHEREAS, SANBAG in its capacity as the County Transportation Authority has adopted Measure I 2010 -2040, Ordinance No. 04-01, which may be amended from time to time by SANBAG, but which currently provides that 8% of the San Bernardino Valley Measure revenue collected for Senior and Disabled Transit Services and that at least 2% of Valley Measure revenue shall be collected for the purpose of a CTSA and;

WHEREAS, on September 1, 2010, the SANBAG Board of Directors approved Resolution 11-004 designating VTrans as a CTSA for the San Bernardino Valley; and

WHEREAS, on September 1, 2010, SANBAG also resolved to provide funding for VTrans.

NOW, THEREFORE BE IT RESOLVED

The parties agree as follows:

1. Purpose. The purpose of this Contract is to provide for the allocation by SANBAG of Valley Measure I revenue for Ongoing Annual Programs (as defined below) and the expenditure thereof by VTrans as set forth herein. VTrans agrees to use the Valley Measure I funds only in accordance with the terms of this Contract and Measure I (as defined below).

2. Definitions. As used in this Contract, the following terms shall have the following meanings:

- a. "Measure I" – means San Bernardino County Transportation Authority Ordinance No. 04-01, as adopted by the voters of San Bernardino County, as it may be amended from time to time by SANBAG as provided therein and including the Transportation Expenditure Plan and Schedules attached to and included in said Ordinance, providing for the continuation of a one-half of one-percent (0.5%) retail transactions and use tax by the San Bernardino County Transportation Authority for local transportation purposes and the Transportation Expenditure Plan set forth in Section II. A. 4.
- b. "Ongoing Annual Programs" - means the Valley Senior and Disabled (VSD) Program as set forth in the Measure I 2010-2040 Strategic Plan – Policy 40009 program (Strategic Plan) adopted, as set forth in Measure I.
- c. "Valley Measure I revenue" – means revenue collected from the San Bernardino Valley subarea under Measure I.
- d. Qualified Expenditures – means those expenditures for Ongoing Annual Programs consistent with all of the following: Measure I, the Strategic Plan, SANBAG's approved guidelines for the use of Measure I funds, VTrans' 5 Year Business Plan as approved by SANBAG as specified in this Contract and VTrans' then current annual budget, also as approved by SANBAG hereunder.. Subject to the required approvals under Section 3 below, these expenditures may include the operation costs and the capital needs of VTrans, including possible use as matching funds for capital purposes, cost sharing agreements with other organizations for the provision of senior and disabled transportation services or other support of senior and disabled transportation functions of partner organizations.

3. Revenue Allocation and Disbursement

- a. SANBAG shall allocate Measure I funds in accordance with Measure I 2010 – 2040, which may be amended from time to time by SANBAG, but which currently provides that 8% of the revenues collected in the San Bernardino Valley shall fund Senior and Disabled Transit Service, and that at least 2% of the Valley Measure I revenue will be directed to the operation of the CTSA.

- b. By March of every year, SANBAG shall provide an estimate of the amount of revenue to be allocated to VTrans for the next fiscal year starting July 1st for use by VTrans in budgeting. SANBAG shall have no liability or responsibility for the accuracy of the estimate. If the actual amount of funds received in any fiscal year is less than the amount projected by SANBAG, SANBAG shall incur no liability to provide any additional funds to VTrans. VTrans shall bear full responsibility to adjust operating plans and/or expenditures to address the difference between projections and actual receipts.

Except as otherwise provided herein, Measure I revenues during the term of this Contract shall be conveyed monthly as a pass-through from SANBAG to VTrans based on actual Valley Measure I revenue received. The pass-through payments shall equal 2% of the actual amount of Valley Measure I revenue received from the California State Board of Equalization (BOE) after deduction of a pro-rata share of the costs of collection, including the BOE's fees, and are subject to revenue corrections or adjustments as determined by the State. In no event shall VTrans be entitled to receive any funding until after actual receipt by SANBAG.

In the event that Measure I revenues exceeding the amounts required under the Measure I Ordinance are provided to VTrans in error, SANBAG shall notify VTrans of the error in writing. Within 30 days of such notice, VTrans shall return such funds to SANBAG, or, at SANBAG's sole discretion (or in the event VTrans fails to promptly return such funds after such notice), the amount of any overpayment may be deducted and withheld from one or more future payments to VTrans.

- c. The Measure I funds disbursed by SANBAG to VTrans shall used or spent only for VTrans' qualifying operating purposes in accordance with the Measure I ordinance and expenditure plan, and VTrans' annual budget and 5 Year Business Plan as approved by SANBAG under paragraph d below,
- d. VTrans has adopted a 5 Year Business Plan, which SANBAG approved pursuant to the Original Contract C11174. This 5 Year Business Plan was updated and the update approved by SANBAG in September of 2012. It shall continue to be updated every two years and submitted to SANBAG for review and approval prior to the commencement of the next fiscal year, with the next update due to be submitted for review and approval not less than 60 days prior to the commencement of Fiscal Year 2015-2016. Not less than 60 days prior to the beginning of each fiscal year, VTrans shall submit to SANBAG its annual budget. SANBAG staff will review the use of Measure I revenue in the VTrans Budget for consistency with the latest approved business plan, SANBAG's Measure I Strategic Plan, and the Measure I Ordinance and expenditure plan and make a recommendation to the SANBAG Board of Directors concerning approval or disapproval. In the event that SANBAG staff determines that the budget is not consistent with the aforementioned documents, notice shall be given to VTrans in order to allow VTrans the opportunity to amend the budget to render it consistent. Failure to obtain

SANBAG Board of Directors' approval of the budget shall be a material breach of this agreement. Any amendments to the budget during the fiscal year and involving the change in use of Measure I funds as outlined in the original budget shall be provided to SANBAG within 30 days of approval by the VTrans Board of Directors and subject to the same review and approval process. Changes to the budget involving only revenue sources other than Measure I funds are not subject to this provision and shall not be the basis for a denial of approval by SANBAG's Board of Directors. In the event that VTrans fails to comply with the requirements of this paragraph or expends any Measure I funds in any manner inconsistent with this agreement SANBAG may withhold future funds until compliance is fully reinstated and demand repayment of any amounts improperly expended, which shall be repaid within thirty (30) days of such demand. Failure to make full and timely repayment and/or to fully reinstate compliance shall be a material breach of this agreement.

- e. VTrans shall, at all times, segregate all Measure I funds received from SANBAG and hold them in a separate, dedicated account. Interest earned on the funds held in such segregated account shall be retained in the segregated account and used by VTrans only on qualified expenditures consistent with the requirements of this agreement for expenditure of Measure I funds.

4. Reporting and Performance Review. Within 45 days after each calendar quarter, VTrans shall submit to SANBAG quarterly reports, on the attached form hereto as Exhibit "A" to this contract. At any time during the term of this Contract, and from time to time, but no more frequently than annually, VTrans shall provide such information and documents as the SANBAG Executive Director (Executive Director) may request in order to conduct an evaluation of VTrans' performance in meeting the goals, objectives and purposes of the Ongoing Annual Programs. As part of such evaluation, the Executive Director may review the audits, along with the levels of expenditures of Measure I revenue made in prior fiscal years and projected for the upcoming fiscal year, and the amount of Measure I funds being held unexpended by VTrans. The Executive Director shall provide his or her findings to VTrans in writing. A substantial failure to meet such goals, objectives and purposes, or an excessive or unreasonable accumulation of unexpended Measure I revenue thus hindering the Ongoing Annual Programs shall be a material breach of this Contract and, in addition, may result in SANBAG withdrawing certification of VTrans as the CTSA and designation of another agency in that role. Decertification shall take place only after VTrans has been afforded not less than 60 days' notice and an opportunity to present evidence and be heard in a public hearing before the SANBAG Board of Directors. The finding of the SANBAG Board shall be final.

5. Audits. Annual audits of VTrans' use of the Measure I funds will be performed by an independent auditor contracted through SANBAG at SANBAG's expense. VTrans agrees to establish and maintain an accounting system conforming to Generally Accepted Accounting Principles (GAAP) and to segregate and separately account for Measure I

funds received and expended and to provide those records for review by SANBAG or its designee for audit purposes. Any expenditure of Measure I funds by VTrans that is determined to be unallowable is subject to repayment by VTrans to SANBAG. Disallowed amounts must be reimbursed to SANBAG within sixty (60) days unless SANBAG approves in writing an alternative repayment plan. Failure to fully or timely repay such amounts in accordance with this paragraph shall be a material breach of this agreement.

6. **Record Retention.** VTrans shall provide SANBAG, or other authorized representatives or agents of SANBAG, access to VTrans' records, which are directly related to this Contract for the purpose of inspection, auditing or copying. VTrans shall maintain each fiscal year's records related to this Contract in an organized way in the original format, electronic and hard copy, conducive to professional review and audit, for a period of four (4) years from the date of each fiscal year's final payment by SANBAG, except in the event of litigation or settlement of claims arising out of this Contract in which case VTrans agrees to maintain records through the conclusion of all such litigation, appeals or claims related to this Contract. VTrans shall allow SANBAG or its representatives or agents to reproduce any materials upon request. This Section applies to all subcontractors at any tier that are performing work under this Contract.
7. **Signs.**
 - a. Vehicles purchased or operated with Measure I funds shall display signs clearly visible to riders indicating the vehicle is funded through Measure I funding.
 - b. Signage must conform with approved Measure I signage and be approved by the SANBAG Executive Director.
 - c. Capital projects constructed by VTrans using Measure I funds shall also have Measure I signage approved by the SANBAG Executive Director.
8. **Term.** The term of this Contract shall end on June 30, 2018, unless extended by further written agreement or terminated in accordance with Section 9 below.
9. **Termination.** Should SANBAG determine that VTrans has violated a material provision of this Contract, it shall have the right to serve on VTrans a notice of default and intention to terminate the Contract. Upon receipt of such notice to terminate, VTrans shall have 30 days in which to cure the stated violation(s) and to provide to SANBAG sufficient evidence that the violations have been cured. If, after 30 days after the notice has been served on VTrans, VTrans has not cured and has not provided sufficient evidence of such to SANBAG, SANBAG may stop making payments under the Contract, terminate the Contract, and/or revoke the Entity's designation as the CTSA for the San Bernardino Valley. Should VTrans be dissolved, or should SANBAG elect to terminate the Contract or revoke VTrans' designation as the CTSA for the San Bernardino Valley, any unobligated Measure I funds held by VTrans at that time shall be returned to SANBAG.

10. Indemnity and Hold Harmless. To the fullest extent permitted by law, VTrans agrees to save, indemnify, defend, and hold harmless SANBAG and its respective officers, employees, volunteers, contractors and agents, from any and all liability, claims, suits, actions, arbitration proceedings, administrative proceedings, and regulatory proceedings, losses, expenses, or any injury or damage of any kind whatsoever, whether actual, alleged or threatened, attorney fees, court costs, and any other costs of any nature without restriction incurred in relation to, as a consequence of, or arising out of this Contract, the performance of this Contract, or out of the acts or omissions of VTrans or any of its officers, employees, volunteers, contractors or agents in carrying out the design, construction, operation, maintenance or use any of VTrans' operations, projects, activities, programs, vehicles, properties or facilities of any nature. The indemnification obligation of VTrans hereunder does not apply to claims, actions, losses, damages, and/or liability arising out of SANBAG's sole negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

11. Insurance.

VTrans shall, at its sole expense procure and maintain in full force, insurance with carriers and with terms and conditions acceptable to SANBAG through the entire term of this Contract. The policies shall be written by a carrier authorized to do business in the State of California with a recent A.M. Best rating of A-VII or better, and shall be written with a least the following limits of liability:

- Workers' Compensation – Worker's Compensation insurance shall be provided in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employers Liability with \$1,000,000 per occurrence covering all persons providing labor or services on behalf of VTrans and all risks to such persons under this Contract.
- Employer's Liability – Employer's Liability insurance shall include coverage in the amount of \$1,000,000 for Bodily injury per accident, a policy limit of \$1,000,000 Bodily Injury by Disease and \$1,000,000 Bodily Injury by Disease for each employee.
- Commercial General Liability – Commercial General Liability insurance shall include coverage for Premises and Operations, Contractual Liability, Products/Completed Operations Liability, Personal Injury Liability, Broad-Form Property Damage and Independent Contractors' Liability, in an amount of not less than \$1,000,000 per occurrence, combined single limit, and \$2,000,000 in the aggregate written on an occurrence form. Also included shall be \$1,000,000 in the aggregate for Personal/Advertising, \$100,000 for Damages to Rented Premises and \$10,000 for Medical Expenses. For products and completed operations a \$2,000,000 aggregate shall be provided. Commercial General Liability insurance shall be primary and non-contributory with any insurance carried or administered by SANBAG.
- Automobile Liability – To include owned, non-owned and hired automobiles, in an amount of not less than \$1,000,000 combined single limit.

- Excess Liability – To include \$1,000,000 per occurrence and \$2,000,000 in the aggregate.

VTrans shall furnish SANBAG with a certificate(s) of insurance, executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements set forth in this Article. If the insurance company elects to cancel or non-renew coverage for any reason, VTrans will provide SANBAG thirty (30) days prior written notice of cancellation or nonrenewal. If the policy is cancelled for nonpayment of premium VTrans will provide SANBAG ten (10) days written notice. VTrans shall maintain such insurance for the entire term of this Contract. The certificate(s) of insurance are to include the Contract number and Project Manager's name on the face of the certificate(s) and shall be submitted directly to SANBAG's Contract Administrator.

Additional Insured – All policies, except for Worker's Compensation, shall contain endorsements naming San Bernardino Associated Governments and all of its associated entities and capacities, including the San Bernardino County Transportation Authority, San Bernardino County Transportation Commission, San Bernardino Congestion Management Agency, San Bernardino County Service Authority for Freeway Emergencies and their officers, employees, contractors, agents, and volunteers as additional insured parties. The additional insured endorsements shall not limit the scope of coverage for SANBAG to vicarious liability but shall allow coverage for SANBAG to the full extent provided by the policy.

- 12. Incorporation of Recitals.** The recitals set forth above are true and correct and incorporated herein by this reference.
- 13. Notices.** All notices and demands shall be given in writing either by personal service or by registered or certified mail, postage prepaid, and return receipt requested, or by facsimile transmission with a confirmation copy to be sent by mail. Any such notice shall be effective as of the date it is transmitted and mailed or delivered, if transmitted by facsimile transmission on or before 5:00 p.m., Pacific Time; or on the following day if transmitted after 5:00 p.m., Pacific Time. Notices shall be addressed as shown below for each party, except that, if any party gives notice of a change of name or address, notices to that party shall thereafter be given as shown in that notice.

To SANBAG: Executive Director
1170 W. 3rd Street, 2nd Floor
San Bernardino, California 92410
Facsimile No.: (909) 885-4407

To VTrans: Chief Executive Officer
299 W. Foothill Blvd. Ste. 202
Upland, CA 91786

- 14. Assignment.** VTrans may not assign or transfer this Contract or any of the rights under it without the prior written consent of SANBAG in SANBAG's sole discretion.

15. **Attorney Fees.** If any legal action is instituted to enforce or declare any party's rights hereunder, each party, including the prevailing party, must bear its own costs and attorneys' fees.
16. **Waivers.** No waiver of any breach of any covenant or provision in this Contract shall be deemed a waiver of any breach of any other covenant or provision in this Contract or of the same covenant or provision at a later time, and no waiver shall be valid unless in writing and executed by the waiving party.
17. **Construction.** Section headings are solely for the convenience of the parties and are not a part of and shall not be used to interpret this Contract. The singular form shall include the plural and vice versa. This Contract shall not be construed as if it had been prepared by one of the parties, but rather as if both parties have prepared it. Unless otherwise indicated, all references to sections are to this Contract.
18. **Integration.** This Contract contains the entire agreement between the parties and expressly supersedes all previous or contemporaneous agreements, understandings, representations, or statements between the parties respecting the Contract.
19. **Counterparts.** This Contract may be executed in one or more counterparts, each of which shall be deemed an original and all of which taken together will constitute one and the same instrument.
20. **Exhibits.** Exhibit A is incorporated in this Contract by this reference.
21. **Amendment.** This Contract may not be amended or altered except by a written instrument executed by the parties to this Contract.
22. **Partial Invalidity.** Any provision of this Contract that is unenforceable or invalid or the inclusion of which would adversely affect the validity, legality, or enforceability of this Contract shall be of no effect, but all the remaining provisions of this Contract shall remain in full force.
23. **Authority of Parties.** All persons executing this Contract on behalf of any party to this Contract warrant that they have the authority to execute this Contract on behalf of that party.
24. **Governing Law.** The validity, meaning, and effect of this Contract shall be determined in accordance with California laws.
25. **Effective Date.** The Effective Date of this Contract is the date of execution by SANBAG.

(Signatures on following page)

IN WITNESS WHEREOF, the parties have caused this Contract to be executed as provided herein

**VALLEY TRANSPORTATION
SERIVCES**

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

By: _____
Dennish Hansberger
Board Chair

By: _____
Janice Rutherford
Board President

Date: _____

Date: _____

APPROVED AS TO FORM

APPROVED AS TO FORM

By: _____
Miller & Owen
Vtrans Counsel

By: _____
Eileen Monaghan Teichert
General Counsel

CONCURRENCE

By: _____
Jeffery Hill
Contract Administrator

Exhibits are attached for reference only

Exhibit "A" - Quarterly Financial Report Format

SAMPLE PROFIT AND LOSS STATEMENT

	Mar 11	Budget	\$ Over Budget	% of Budget	Jul '10 - Mar 11	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Income									
401001 - Fares Revenue									
406003 - Advertising Revenue									
407006 - Gain on Sale of Assets									
407007 - Other Income									
409002 - Measure I OP Revenue									
409005 - ADA Operating Revenue									
409007 - JARC/New Freedom's Operating Rev									
409101 - TDA Article 4.5 Capital Revenue									
409102 - Measure I Capital Revenue									
414001 - Interest Income									
464001 - Section 5310 Revenue									
Total Income									
Expense									
501001 - Payroll									
502100 - Payroll Taxes									
502002 - Workers Comp									
502003 - Medical Expense									
502004 - Dental Expense									
503001 - Professional Services									
5030011 - Consulting Services									
5030012 - Accounting Services									
5030013 - Legal Services									
Total 503001 - Professional Services									
503002 - Outside Services									
503003 - Temporary Services									
503004 - Equipment Repair									
503005 - Facility Repair									
503006 - Community Services									
504001 - Maintenance - Fleet									
504002 - Fuel									
504006 - Office Supplies									
504008 - Postage									
504010 - Dues & Publications									
505001 - Telephone									
505002 - Utilities									
506001 - Insurance Premiums									
506021 - Computer Supplies and Software									
506052 - Minor Office Furniture & Eqpt									
507001 - Tax/License/Dues/Permits									
509001 - Travel									
509002 - Professional Development									
509003 - Uniforms									
509006 - Fines and Penalties									
511001 - Interest Expense									
512001 - Space Rent									
512002 - Equipment Rental									
513001 - Depreciation-Grant Equipment									
513002 - Depreciation-Non Grant Equip									
Total Expense	0.00	0.00	0.00	0.0%	0.00	0.00	0.00	0.0%	0.00
Net Income	0.00	0.00	0.00	0.0%	0.00	0.00	0.00	0.0%	0.00

SAMPLE BALANCE SHEET

	Mar 25, 11
ASSETS	
Current Assets	
Checking/Savings	
101001 · Checking-Bank of the West	
101002 · Savings	
101003 · Payroll Checking Account	
Total Checking/Savings	
Accounts Receivable	
102001 · Accounts Receivable	
102901 · Grants Receivable	
102998 · Allowance for Doubtful Accounts	
Total Accounts Receivable	
Other Current Assets	
12000 · Undeposited Funds	
103001 · Inventory-Fuel	
103003 · Inventory-Parts and Supplies	
105002 · Work In Progress	
Total Other Current Assets	
Total Current Assets	
Fixed Assets	
111001 · Grant Equipment-Transportation	
111002 · Non-Grant Equipment	
111003 · Acc Depr Grant Equipment	
111004 · Acc Depr Non-Grant Equipment	
Total Fixed Assets	
Other Assets	
151001 · Prepaid Expense	
Total Other Assets	
TOTAL ASSETS	

LIABILITIES & EQUITY

Liabilities			
Current Liabilities			
Accounts Payable			
201001 · Trade Accounts Payable			
Total Accounts Payable			
Credit Card Payable			
Other Current Liabilities			
202001 · Workers' Compensation Payable			
202002 · Accrued Vacation and Sick Leave			
202003 · Accrued Payroll Payable			
203001 · Sales Tax Payable			
203004 · Payroll Taxes Payable			
204001 · Non-Capital Debt-Short Term			
204002 · Capital Debt-Short Term			
205004 · TSA Payable			
211001 · Deferred Rev-TDA & Other			
211002 · Deferred Rev-Meas I			
Total Other Current Liabilities			
Total Current Liabilities			
Long Term Liabilities			
221001 · Long-Term Lease/Notes Payable			
Total Long Term Liabilities			
Total Liabilities			
Equity			
300000 · Opening Balance Equity			
304000 · Net Assets Invested in Capital			
304001 · Contributed Capital			
305100 · Retained Earnings			
320000 · Unrestricted Net Assets			
Net Income			
Total Equity			
TOTAL LIABILITIES & EQUITY			

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist SANBAG Board Members and partners as they participate in deliberations at SANBAG Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. SANBAG staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ARRA	American Recovery and Reinvestment Act
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality
CMIA	Corridor Mobility Improvement Account
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CPUC	California Public Utilities Commission
CSAC	California State Association of Counties
CTA	California Transit Association
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DBE	Disadvantaged Business Enterprise
DEMO	Federal Demonstration Funds
DOT	Department of Transportation
EA	Environmental Assessment
E&D	Elderly and Disabled
E&H	Elderly and Handicapped
EIR	Environmental Impact Report (California)
EIS	Environmental Impact Statement (Federal)
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds

MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
NAT	Needles Area Transit
NEPA	National Environmental Policy Act
OA	Obligation Authority
OCTA	Orange County Transportation Authority
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PNRS	Projects of National and Regional Significance
PPM	Planning, Programming and Monitoring Funds
PSE	Plans, Specifications and Estimates
PSR	Project Study Report
PTA	Public Transportation Account
PTC	Positive Train Control
PTMISEA	Public Transportation Modernization, Improvement and Service Enhancement Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
RSTIS	Regionally Significant Transportation Investment Study
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 st Century
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

San Bernardino Associated Governments



MISSION STATEMENT

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning

- Develop an accessible, efficient, multi-modal transportation system

- Strengthen economic development efforts

- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993
Reaffirmed March 6, 1996